

CASE # 2017-1A

Complaint Form

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

City of Santa Fe
Ethics & Campaign Review Board

Date: 3/22/17

1. Name of person and/or group charged with alleged violation. AVOOTMODS

2. Please explain briefly the nature of the alleged violation. DISSEMINATING CAMPAIGN MATERIAL W/O IDENTIFYING SOURCE

3. Please state which specific provision(s) or part(s) of the Code of Ethics or Election Code you believe have been violated. SFCC 9-2.5 B + D

4. Please state the facts you have regarding the violations, including:
the date(s) DISCOVERED 3/21/17
the time(s) _____
the place(s) _____
people involved _____
other facts _____

5. Are there any witnesses to the violation who are willing to confirm your charge? Please list with addresses, phone numbers and what they know. _____

6. Attach documentation of actual evidence you have to support your complaint, to this form.

7. What is your name? KARON HELDMEYER
8. Address? 325 C BERGER ST Zip Code 87505
9. Telephone Number? (505) 982-3968 Work: _____
10. Email Address? KHELD@EARTHLINK.NET

Received on: March 22 2017
By: Geralyn F. Cardenas
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 22nd day of March 20 17



[Signature]
Notary Public

March 22, 2017

Ethics and Campaign Review Board
City of Santa Fe
PO Box 909
Santa Fe, NM 87504
[hand delivered]

I saw the attached flier reprinting a *Santa Fe New Mexican* editorial of March 4, 2017, stuck in my gate on Tuesday morning, March 21.

The flier does not list a contact person nor a contact phone number. According to SFCC 9-2.5(B) and 9-2.5(D), materials such as this that are distributed by a political committee must contain that information. The only identifying information on this flier is the notation "labor donated". Without the identifying information, it is impossible to tell who is distributing it.

According to SFCC 9-2.3(N), a political committee is "any entity formed for the principal purpose of raising or collecting, and expending or contributing money or anything of value ... for supporting the approval or defeat of any ballot proposition." Note that even if costs are minimal, any entity fitting this definition that expends ANY funds is considered a political committee and must follow the dictates of SFCC 9-2.5.

I have been told by a few neighbors that individuals supporting the ballot proposition were walking the neighborhood this weekend. However, those neighbors did not notice whom those individuals represented, so I do not know if the represented a political committee or not.

Additionally, SFCC 9-2.6 calls for groups or individuals who spend \$250 or more in a single election for public communication disseminated to 100 or more eligible voters which advocates for the approval or defeat of a ballot proposition shall file a report of their expenditures and contributions on specified days with the city clerk's office.

For the May 2 special election, the first such date is tomorrow, March 23.

I know that this election is drawing input from a number of different groups, some of whom have not participated in our elections before. It may be that some groups are uninformed about the rules in the Santa Fe Campaign Code. I am filing this complaint, in large part, to inform all relevant groups about the dictates of that code. I hope those groups are forthcoming about their expenditures and donors and that they clearly label all communications that come from them.

I hope that Ethics and Campaign Review Board examines all campaigning that is occurring for this special election and requires all entities covered by the Campaign Code to adhere to the letter of the law.

I would also urge all voters in the upcoming special election to disregard any information they receive that is not clearly labeled as to its origin.


Karen Heldmeyer

EDITORIALS

SANTA FE ❖ NEW MEXICAN

Our View: Pre-K for all? It's time

Saturday, March 4, 2017

Everyone knows that not all children in Santa Fe are prepared on the first day of school.

Anna might not be able to tell a teacher her name or address. Juan can't count to 10 or recite the alphabet. Tyler can't name his colors. Too often, children such as these start out behind and never catch up.

Yet despite understanding that early childhood education is essential to helping less privileged children start right on day one, the state of New Mexico has been unwilling — or too broke — to offer universal pre-K for all families who want it. Public schools have expanded access to early childhood education, but every year, families are turned away. There's not enough space. Other moms and dads cannot afford private preschool; it's simply too expensive.

Everyone understands this. What has challenged reformers is figuring out how to expand access to high-quality preschool, so that all families — especially those who most need it — can attend if they choose.

Making preschool a reality is not just the responsibility of parents or of the state's education system, but of the community. At least that is how Mayor Javier Gonzales sees it. And that's why he launched his Early Childhood Initiative, a plan to use city funds to make sure that all children can attend preschool if their parents so choose. He even figured out a way to pay for it.

On Wednesday, the Santa Fe City Council will decide if the mayor's plan to pay for pre-K will be presented to voters in a special election this May. While all agree that preschool is a worthy notion, there is much debate over how the mayor wants to pay to improve access. He is proposing a 2-cents-per-ounce tax on sugary drinks, estimated by the city to bring in \$7.7 million a year in new revenue. Those dollars would be spent making pre-K more widely available, using existing programs and providers.

The debate over taxing sugary drinks is beyond contentious already, with the goal — paying for preschool — becoming lost in the commotion. This is not a step for Santa Fe to take lightly. A so-called soda tax will impact families with less money more (although,

to be fair, no one has to drink sodas or other sugary drinks). That's concerning. It is true, as critics point out, that if people drink fewer sodas because they are more expensive, the revenue stream to pay for preschool could be inadequate. City councilors have questions, too, wondering about how the tax will be collected and how the money will be handed out. Good, let's have the debate. It's important.

What we have learned is encouraging. The tax is on soda and sugary-drink distributors — that means the local Coca-Cola plant, but also grocery store supply chains and big corporations such as Starbucks that sell sugar-sweetened drinks. The city plan calls for hiring a half- or full-time city employee to oversee collections, as well as a third-party vendor that specializes in such taxes. A soda tax should not lead to the creation of a new bureaucracy.

At the distribution point — where money is given to provide more preschool slots — the good news is that Santa Fe has a strong early childhood education infrastructure in place. There is Santa Fe Community College's Early Childhood Center of Excellence, Santa Fe County United Way preschool initiatives, Head Start, Santa Fe Public Schools and many private providers. City dollars will supplement what is already here. The goals are for more classrooms across the city to meet quality benchmarks under the National Institute for Early Education Research, for more families to be able to afford to send their children and for space to be available. Part of the initiative includes training, the creation of 56 new classrooms and employment of at least 196 additional teachers, administrators and staff.

Importantly, the city is not going to set up shop as a preschool provider. Key words from the city's plan: "Build on, but don't duplicate, Santa Fe's early childhood capacity and assets."

In a perfect world, the public school system would have all the money it needs to provide much-needed pre-K. Private providers would offer scholarships so that all families could afford to send children. A city such as Santa Fe, whose chief responsibilities are picking up trash, maintaining roads and ensuring public safety, would be less involved when it comes to ensuring the welfare of children. That is not the world in which we live.

Mayor Gonzales and his Pre-K for Santa Fe supporters see an acknowledged need. Nearly 1,000 3- and 4-year-olds in Santa Fe lack access to high-quality early learning programs. Some 72 percent of the children identified are Hispanic, with more than 58 percent living in households with an income below 200 percent of the federal poverty level, or \$36,325 for a family of four. The children who most need these educational opportunities, in other words, don't have them.

The mayor's Pre-K for Santa Fe plan identifies the need and finds a way to pay for it. On Wednesday, city councilors should ask their questions and hammer out differences — Santa Fe needs for this to be done right. Then, let the voters decide. Sooner, rather than later, not just because children are waiting but to avoid a long, ugly campaign. Pre-K for Santa Fe? It's about time.

AMENDED

CASE # 2017-1B

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

City of Santa Fe
Ethics & Campaign Review Board

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1. Name of person and/or group charged with alleged violation. PRE K FOR SANTA FE

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6. Attach documentation of actual evidence you have to support your complaint, to this form.

7. What is your name? KAREN HELDMEYER

8. Address? 325 E BERGER ST. Zip Code 87505

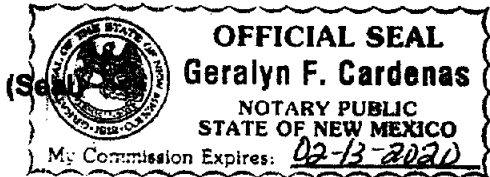
9. Telephone Number? (505) 982-3962 Work: _____

10. Email Address? KHELD@EARTHLINK.NET

Received on: March 23 2017
By: Gerilyn F. Cardenas
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 23rd day of March 20 17



[Signature]
Notary Public

Complaint says pro-tax fliers are unlabeled

By T.S. Last/Journal North

Published: Wednesday, March 22nd, 2017 at 6:03pm
Updated: Wednesday, March 22nd, 2017 at 9:10pm

SANTA FE - A complaint has been filed with Santa Fe's Ethics and Campaign Review Board over apparent campaign fliers consisting of copies of a newspaper editorial supporting Mayor Javier Gonzales' ballot measure to tax sugary drinks to finance pre-kindergarten programs.

The material showed up at homes in the South Capital neighborhood recently and, in at least one case, came without any information on who or which group was distributing the fliers. A copy that former City Councilor Karen Heldmeyer found attached to her gate Tuesday and that she submitted to the ethics board said only "labor donated" at the bottom of the page.

In a letter submitted with her complaint, Heldmeyer cites the section of the city campaign code that requires political committees to identify themselves on their campaign materials. "Without the identifying information, it is impossible to tell who is distributing it," she wrote.

A leader of Pre-K for Santa Fe, a political committee supporting the tax, acknowledged Wednesday that the PAC distributed the print-out of a Santa Fe New Mexican editorial. "Copies that I've seen have our tag line," said Sandra Wechsler of Pre-K for Santa Fe. "If it doesn't, it was definitely an oversight on our part. We will make sure that future materials have the tag line."

Registered voters in Santa Fe will vote May 2 to decide whether a 2-cent-per-ounce tax should be placed on distributors of sugary drinks. Gonzales says the tax would generate more than \$7 million per year that could be used to expand pre-K programs in Santa Fe, providing an additional 1,000 slots for children ages 3 and 4. Opponents say it unfairly targets certain businesses and consumers and could mean job losses.

Heldmeyer says in her letter that she wants to make sure everyone is following the election rules. "I am filing this complaint, in large part, to inform all relevant groups about the dictates of that code. I hope those groups are forthcoming about their expenditures and donors and that they clearly label all communications that come from them," she wrote, adding that she hopes that the review board makes sure that entities covered under the code "adhere to the letter of the law."

The first campaign finance reports for the May 2 election, where political committees are required to report their revenue sources and spending, are due in the city clerk's office today.

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4 Remaining

Complaint filed over soda tax flier

Print Font Size



Karen Heldmeyer

happen again."

Her group is one of several trying to sway voters in advance of a May 2 special election on

Posted: Wednesday, March 22, 2017 11:30 pm | Updated: 11:50 pm, Wed Mar 22, 2017.

By Roward Hoeghan
The New Mexican

The campaign manager for a group backing a proposed tax on sugary beverages in Santa Fe said Wednesday it was an oversight to distribute a flier without identifying who was responsible for the handout.

The anonymous flier prompted a former city councilor, Karen Heldmeyer, to file a formal complaint with the city Ethics and Campaign Review Board after she found the one-page document snuck in a gate Tuesday at her South Capitol residence.

"It's ours," Sandra Wechsler, campaign manager for the political action committee Pre-K for Santa Fe, said when contacted by The New Mexican. "It was a mistake not to put our tagline on it. It was an oversight on our part, and we'll make sure it doesn't

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whether the city should impose a 2-cents-an-ounce tax on sugar-sweetened drinks in order to fund early childhood education programs. Supporters of the initiative have been going door to door in various neighborhoods, leaving literature touting the educational benefits of expanding prekindergarten programs and the health benefits of discouraging sugar consumption.

While some printed material clearly identifies Pre-K for Santa Fe as responsible for the messages, the anonymous flier discovered by Heldmeyer is a reprint of a *Santa Fe New Mexican* editorial of March 4, headlined "Pre-K for all? It's time." The editorial was published a few days before the mayor and City Council — with the exception of Councilor Ron Trujillo — voted to schedule the special election despite objections from business groups and other tax opponents.

The only other information on the flier is a small notation that says "Labor donated."

Heldmeyer's complaint says a city ordinance requires that materials distributed by political committees seeking approval or defeat of a ballot proposition must list a contact person and phone number.

"I hope that the Ethics and Campaign Review Board examines all campaigning that is occurring for this special election and requires all entities covered by the Campaign Code to adhere to the letter of the law," she wrote.

When told that Wechsler had acknowledged her group was responsible for the flier, Heldmeyer said Wechsler should understand the city's campaign laws. The Santa Fe political consultant managed campaigns for former Mayor David Coss and helped form Progressive Santa Fe PAC, which campaigned on behalf Mayor Javier Gonzales' election three years ago.

When asked what response she hopes her complaint brings, Heldmeyer said the political committee "at the very least" should account for funds spent on the flier and should "offer some type of public apology."

Thursday is the deadline for political committees involved with the tax issue to submit initial campaign finance reports to the City Clerk's Office.

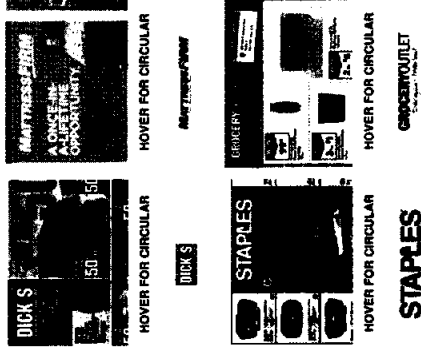
A group called Better Way for Santa Fe & Pre-K, whose supporters include makers and distributors of soft drinks, has campaigned against what it calls an unfair tax, saying it would hurt consumers and businesses, could cost jobs and would provide an unstable source of revenue for early childhood education programs.

Discuss

Print

Posted in Local News on Wednesday, March 22, 2017 11:30 pm. Updated: 11:50 pm.

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