Agenda

Regular Meeting of the Ethics and Campaign Review Board
August 11, 2026 at 1:00 PM
City Council Chambers, City Hall
200 Lincoln Avenue

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of Minutes
   a. Request for Approval of the May 11, 2026, Ethics and Campaign Review Board Meeting Minutes. (Xavier Vigil, Assistant City Clerk; xivigil@santafenm.gov)
5. Discussion and Possible Action Items
   a. Resignation of Board Member Jose Puentes
   b. Hearing in the Matter of Stefanie Beninato v. David Montoya
   c. Review and Board Approval of the Settlement Agreement between Leroy Trujillo and Stefanie Beninato
6. Executive Session
7. Discussion Items - No Action
8. Public Comment
9. Matters from Staff
10. Matters from the Committee
11. Matters from the Chair
12. Adjourn

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

Agenda **AMENDED - Regular Meeting of the Ethics and Campaign Review Board**
May 11, 2026 at 2:00 PM
City Council Chambers, City Hall
200 Lincoln Avenue

Procedures for Ethics and Campaign Review Board Meeting

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of Minutes
    a. Request for Approval of the November 13, 2025, Ethics and Campaign Review Board Meeting Minutes. (Xavier Vigil, Assistant City Clerk; xivigil@santafenm.gov)
5. Discussion and Possible Action Items
    a. **Case 2026-1.** Case Brought Forward by David Montoya - In Accordance with Section 6-16.4 SFCC 1987 “Determination of Legal Sufficiency; Setting a Hearing.” Consideration of Whether the Complaint Sets Forth Legally Sufficient Facts which, if True Show Probable Cause to Believe there was a Violation. (The Board May Go Into Executive Session Under NMSA 1978, Section 10-15-1(H)(3) to Deliberate in Connection with an Administrative Adjudicatory Proceeding.)

        1. Discussion of Actions.
        2. Action Regarding Whether the Complaint Sets Forth Legally Sufficient Facts, Which, if True, Show Probable Cause to Believe there was a Violation.
        3. Action on Any Steps as Permitted Under Section 6-16 SFCC 1987.
6. Executive Session
    a. Discussion of Complaint Brought Forward by David Montoya in Regard to Case #2026-1.
7. Discussion Items - No Action
    a. Status Report Regarding Complaints #2025-4 Against David Montoya and #2025-5 Against Leroy Trujillo, Submitted by Stefanie Beninato.

8. Public Comment
9. Matters from Staff
10. Matters from the Committee
11. Matters from the Chair
12. Adjourn

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ETHICS AND CAMPAIGN REVIEW BOARD
MONDAY, MAY 11, 2026, 2:00 PM
COUNCIL CHAMBERS, CITY HALL 200 LINCOLN AVENUE
SANTA FE, NEW MEXICO

1. CALL TO ORDER

A meeting of Ethics and Campaign Review Board was called to order by Paul Biderman, Chair, on Monday, May 11, 2026, at 2:00 pm, in the City Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, NM.

2. ROLL CALL

MEMBERS PRESENT
Paul Biderman, Chair
Justin Miller
Andrew Black
Judith Amer
James Sullivan

MEMBERS ABSENT
Jose Puentes

OTHERS PRESENT
Xavier Vigil, City Clerks Office
Ericka Quintana, City Clerks Office
Steven Ross, Contract Attorney, City of Santa Fe

3. APPROVAL OF AGENDA

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

VOTE The motion passed on a voice vote.

4. APPROVAL OF MINUTES

A. REQUEST FOR APPROVAL OF THE NOVEMBER 13, 2025, ETHICS AND CAMPAIGN REVIEW BOARD MEETING MINUTES.

MOTION A motion was made by Ms. Amer, seconded by Mr. Miller, to approve the minutes of November 13, 2025 as presented.

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

Ms. Amer, yes; Mr. Miller, yes; Mr. Black, yes; Mr. Sullivan, yes: Chair Biderman, yes.

5. DISCUSSION AND POSSIBLE ACTION ITEMS

A. CASE 2026-1. CASE BROUGHT FORWARD BY DAVID MONTOYA - IN ACCORDANCE WITH SECTION 6-16.4 SFCC 1987 "DETERMINATION OF LEGAL SUFFICIENCY; SETTING A HEARING." CONSIDERATION OF WHETHER THE COMPLAINT SETS FORTH LEGALLY SUFFICIENT FACTS WHICH, IF TRUE, SHOW PROBABLE CAUSE TO BELIEVE THERE WAS A VIOLATION. (THE BOARD MAY GO INTO EXECUTIVE SESSION UNDER NMSA 1978, SECTION 10-15-1(H)(3) TO DELIBERATE IN CONNECTION WITH AN ADMINISTRATIVE ADJUDICATORY PROCEEDING.)

1. **DISCUSSION OF ACTIONS.**

2. **ACTION REGARDING WHETHER THE COMPLAINT SETS FORTH LEGALLY SUFFICIENT FACTS, WHICH, IF TRUE, SHOW PROBABLE CAUSE TO BELIEVE THERE WAS A VIOLATION.**

3. **ACTION ON ANY STEPS AS PERMITTED UNDER SECTION 6-16 SFCC 1987.**

Chair Biderman stated that the Board will go into Executive Session as stated.

6. EXECUTIVE SESSION

A. DISCUSSION OF COMPLAINT BROUGHT FORWARD BY DAVID MONTOYA IN REGARD TO CASE #2026-1.

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

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

Ms. Amer, yes; Mr. Miller, yes; Mr. Black, yes; Mr. Sullivan, yes: Chair Biderman, yes.

The Board entered into Executive Session at 2:06 pm.

MOTION A motion was made by Ms. Amer, seconded by Mr. Sullivan, to reconvene in open session.

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

Ms. Amer, yes; Mr. Miller, yes; Mr. Black, yes; Mr. Sullivan, yes: Chair Biderman, yes.

The Board reconvened in open session at 2:27 pm.

Mr. Miller stated that no action was taken in Executive Session and the only items discussed where those as noted.

MOTION A motion was made by Mr. Miller, seconded by Mr. Amer, to dismiss the action because it was determined to be legally insufficient because it did not state a claim against the respondent for making independent expenditures or acting as a political committee.

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

Ms. Amer, yes; Mr. Miller, yes; Mr. Black, yes; Mr. Sullivan, yes: Chair Biderman, yes.

7. DISCUSSION ITEMS - NO ACTION

A. STATUS REPORT REGARDING COMPLAINTS #2025-4 AGAINST DAVID MONTOYA AND #2025-5 AGAINST LEROY TRUJILLO, SUBMITTED BY STEFANIE BENINATO.

Mr. Ross stated that there are two complaints, one filed against Mr. Montoya and one filed against Mr. Trujillo. Since that time, there have been a number of items filed including a cross complaint. No hearing date has been set. These cases are in dire need of moving forward. His opinion is that the Board needs to set a date and then work backward with due dates for items the parties have to provide. A written ore-hearing order will be provided.

There was discussion about the hearing date, City rules regarding a hearing, and procedural rules.

Chair Biderman said he would hear from the parties.

Ms. Beninato said she put in a request for subpoenas for some discovery items and thinks thirty days for submittal would be reasonable.

Mr. Montoya said he and the people of Santa Fe would like to move on from the recent election. He feels he has provided enough information on this case. We need to move on. This has been devastating to him, his family and his mom.

Chair Biderman proposed that the Board enter into Executive Session to discuss procedural issues.

MOTION A motion was made by Ms. Amer, seconded by Mr. Sullivan, to enter into Executive Session to discuss procedural issues on cases 2025-4 and 2025-5.

Mr. Trujillo said this has gone on too long. He is not guilty. Thank you for hearing him.

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

Ms. Amer, yes; Mr. Miller, yes; Mr. Black, yes; Mr. Sullivan, yes: Chair Biderman, yes.

The Board entered into Executive Session at 2:45 pm.

MOTION A motion was made by Ms. Amer, seconded by Mr. Black, to reconvene in open session.

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

Ms. Amer, yes; Mr. Miller, yes; Mr. Black, yes; Mr. Sullivan, yes: Chair Biderman, yes.

The Board reconvened in open session at 3:18 pm.

Chair Biderman stated that the Board has discussed a procedural plan going forward and will issue an order shortly. The hearing date will be June 23rd on both cases. There will be a written pre-hearing order and the parties will be provided with all communications the City has received with the two of you. Limited subpoenas will be allowed as well and an opportunity for each party to reach an agreement with Mr. Ross acting as the mediator.

Chair Biderman asked if there were any questions.

Ms. Beninato asked when Mr. Ross would be available to mediate.

Mr. Ross said he would review his calendar and include those dates in the order.

Mr. Montoya said he would like to settle this and have a mature conversation on this.

Mr. Trujillo agreed.

8. PUBLIC COMMENT

Mr. Montoya thanked the Board for their time.

Ms. Beninato thanked the Board for their time.

Mr. Trujillo thanked the Board for their time.

9. MATTERS FROM STAFF

None.

10. MATTERS FROM THE COMMITTEE

None.

11. MATTERS FROM THE CHAIR

None.

12. ADJOURN

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

VOTE The motion was passed on a voice vote.

There being no further business before the Board, the meeting adjourned at 3:27 pm.

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Paul Biderman, Chair

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Elizabeth Martin, Stenographer