November 19, 2019

To whom it may concern:

Any charge or charges that a candidate, candidate’s committee, Measure Finance Committee, or any other group has committed a violation of the Election Code, Code of Ethics, Open and Ethical Elections Code, or the Rules and Regulations promulgated by the Board of Ethics or the City Clerk shall be made in writing, notarized and brought before the City Clerk.

We allege that Timothy Keller, Mayor of Albuquerque, has violated the Charter of the City of Albuquerque, including, but not limited to, Article XII, Section 4; Article XII, Section 6; Article XII, Section 7; Article XIII, Section 6; Article XVI, Section 2.

Article XII: Code of Ethics. Section 4: Conflict of Interest; Section 6: Use of Public Property; Section 7: Misuse of City Employees in Campaigns.


Article XVI: Open and Ethical Elections Code. Section 2: Legislative Intent

Mayor Timothy Keller disclosed or used confidential information concerning the property, government or affairs of the governmental body by which that official is employed or of which the official is a member without proper authorization in order to advance the direct or indirect private financial or other private interests of said official or others;

Mayor Timothy Keller used property, owned by any governmental body or funds of any governmental body, for personal benefit, convenience or profit, except in accordance with policies promulgated by the Council.

Mayor Timothy Keller did not register a Measure Finance Committee with the City Clerk within five days of formation by preparing and filing with the Board a statement, signed by the chairperson of the Committee.

Mayor Timothy Keller used their position(s) or employment with the city to influence support of employees of the city for or against any candidate, issue or Measure Finance Committee or other similar organization in any election or pre-election activity;

Mayor Timothy Keller failed to avoid both actual undue influence of large campaign donors and the appearance of undue influence in Council and Mayoral elections and decision-making.

Sincerely,

Patrick Monroe Brenner
Rio Grande Foundation
Office of the City Clerk  
P.O. Box 1293  
Albuquerque, NM 87103  
Phone (505) 924-3650 Fax (505) 924-3660  
www.cabq.gov/clerk

Katy Duhigg, City Clerk

State of New Mexico  
County of Bernalillo  

COMPLAINT FORM

<table>
<thead>
<tr>
<th>1. Complainant's Information</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Last Name</td>
<td>Brenner</td>
</tr>
<tr>
<td>First Name</td>
<td>Patrick</td>
</tr>
<tr>
<td>Mailing Address</td>
<td></td>
</tr>
<tr>
<td>City</td>
<td>Albuquerque</td>
</tr>
<tr>
<td>State</td>
<td>NM</td>
</tr>
<tr>
<td>Zip Code</td>
<td></td>
</tr>
<tr>
<td>Daytime Phone Number (include area code)</td>
<td></td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:pbrenner@riograndefoundation.org">pbrenner@riograndefoundation.org</a></td>
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<table>
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<tr>
<th>2. Respondent's Information</th>
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<tbody>
<tr>
<td>Last Name</td>
<td>Keller</td>
</tr>
<tr>
<td>First Name</td>
<td>Timothy</td>
</tr>
<tr>
<td>Mailing Address</td>
<td>PO Box 1293</td>
</tr>
<tr>
<td>City</td>
<td>Albuquerque</td>
</tr>
<tr>
<td>State</td>
<td>NM</td>
</tr>
<tr>
<td>Zip Code</td>
<td>87103</td>
</tr>
<tr>
<td>Daytime Phone Number (include area code)</td>
<td>(505) 768-3000</td>
</tr>
<tr>
<td>Email Address</td>
<td>unknown</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3. If Respondent is a Candidate, the office or position sought</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Timothy Keller, Mayor of the City of Albuquerque</td>
<td></td>
</tr>
</tbody>
</table>
4. Has this complaint been filed with any law enforcement agencies? If so, list all agencies and attach copies of all complaints submitted. Additional pages may be attached to this form if the space provided below is not adequate.

No.

5. Describe in reasonable detail the alleged violation(s), including the Section(s) or Part(s) of the Election Code, Code of Ethics, Open and Ethical Elections Code, or Rules and Regulations of the Board of Ethics or City Clerk that you believe were violated, explain how you believe the Election Code, Code of Ethics, Open and Ethical Elections Code, or Rules and Regulations of the Board of Ethics or City Clerk were violated, the date of the alleged violation(s), and include any other pertinent information. Additional pages may be attached to this form if the space provided below is not adequate.

Any charge or charges that a candidate, candidate

SEE ATTACHED LETTER ON
RODI GRANDE FOUNDATION STATIONERY
To date, the inquiry undertaken regarding the alleged violation included acquisition and review of information, documentation, and sources acquired by virtue of publicly accessible vehicles (websites) and through requests made pursuant to the inspection of public records act.
7. List and attach evidence that supports your allegations, including but not limited to:
   a. The names/telephone numbers of persons whom you believe may be witnesses to the
      facts;
   b. A copy or picture of any political advertisement(s) Complainant references;
   c. A copy of each document the Complainant references; and
   d. Any other evidence supporting your allegations.

Please see attached documentation.

Also, quoting the Mayor's statement posted on a city website:

"Your voice matters. Let's come together on November 5 as One Albuquerque to make
our community safer, more innovative, and more inclusive by voting 'YES' on the G.O.
Bonds and on all of the ballot items that will help our City reach its full potential. Find
more information on the election at cabq.gov/vote."
I, ________________________, hereby swear and affirm under penalty of perjury that, to the best of my knowledge, information, and belief, formed after a reasonable inquiry under the circumstances, each factual contention of this Complaint is supported by evidence.

________________________
Complainant (Signature)

________________________
Print or type name of Complainant

Sworn or affirmed before me, the undersigned authority by ______________________ this
______________ day of __________ 20__.  

________________________
Notary Public

If, after a reasonable inquiry under the circumstances, you are unable to certify that certain specifically identified factual contentions of the Complaint are supported by evidence, you may certify as follows:

I, ________________________, hereby swear and affirm under penalty of perjury that, to the best of my knowledge, information, and belief, there are grounds to conclude that the specifically identified factual contentions of this Complaint are likely to be supported by evidence after a reasonable opportunity for further inquiry.

________________________
Complainant (Signature)

________________________
Print or type name of Complainant

Sworn or affirmed before me, the undersigned authority by Patrick M. Brenner this
________ day of November, 2019.

________________________
Notary Public

All exhibits or attachments referenced in the complaint must be included with the Complaint.
# Invoice

**SUNNY 505**

119 Dartmouth Dr SE
Albuquerque, NM 87106

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**Bill To**

City of Albuquerque,
Office of the City Clerk
PO Box 1293
Albuquerque, NM 87102
(505) 768-3298

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**Invoice Date** | **Invoice #**
--- | ---
10/15/2019 | 14364

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<th>Description</th>
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<td>1,000.00T</td>
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<tr>
<td>Digital</td>
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<td></td>
<td></td>
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<tr>
<td>Programmatic Display</td>
<td>5,000.00</td>
<td>5,000.00T</td>
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<tr>
<td>Programmatic Audio (Spotify, Soundcloud, etc.)</td>
<td>6,000.00</td>
<td>6,000.00T</td>
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<tr>
<td>Facebook/Instagram Ads (video + static)</td>
<td>5,000.00</td>
<td>5,000.00T</td>
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<tr>
<td>Radio</td>
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<tr>
<td>iHeart Media Traffic Network (AM/PM)</td>
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<tr>
<td>Television</td>
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<tr>
<td>KRQE 13 (Morning/Evening News)</td>
<td>7,189.00</td>
<td>7,189.00T</td>
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<tr>
<td>KOB 4 (Morning/Evening News)</td>
<td>5,960.00</td>
<td>5,960.00T</td>
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<tr>
<td>KOAT 7 (Morning/Evening News)</td>
<td>6,000.00</td>
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<tr>
<td>Albuquerque Sales Tax</td>
<td>7.875%</td>
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<td>3,150.00</td>
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---

**Total** | $43,150.00

**Payments/Credits** | $0.00

**Balance Due** | $43,150.00

---

**Phone #** | **Fax #**
--- | ---
505-764-4444 | 505-764-8636

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E-mail: accounting@sunny505.com

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Please remit payment to:
SUNNY 505
119 Dartmouth Dr. SE
Albuquerque, NM 87106

For ACH or Credit Card payments please call or email.
What's at Stake?

Mariquita Verde November 4, 2013