



**STATE ETHICS
COMMISSION MEETING**

April 4, 2025

PUBLIC MATERIALS



STATE ETHICS COMMISSION

Hon. William F. Lang, Chair
Jeffrey L. Baker, Member
Stuart M. Bluestone, Member
Hon. Celia Castillo, Member
Hon. Gary Clingman, Member
Hon. Dr. Terry McMillan, Member
Dr. Judy Villanueva, Member

April 4, 2025, 9:00 am to 12:00 pm. (Mountain Time)

A livestream of the meeting will be available on the day of the event at the following YouTube link: <https://www.youtube.com/@stateethicscommissionnm3535/streams>

Commission Meeting

Chair Lang Calls the Meeting to Order

1. Roll Call
2. Approval of Agenda
3. Approval of Minutes of February 27, 2025 Commission Meeting

Commission Meeting Items

Action Required

Upon applicable motion, Commission goes into executive session under NMSA 1978, §§ 10-15-1(H)(3) (administrative adjudicatory proceedings) and 10-15-1(H)(7) (attorney client privilege pertaining to litigation).

4. Discussion regarding administrative matters under RULONA:
(Branch)
 - a. 2025-NP-04
5. Discussion regarding administrative matters under State Ethics Commission Act:
(Chato, Randall)
 - a. Administrative Complaint No. 2024-91
 - b. Administrative Complaint No. 2025-02
 - c. Administrative Complaint No. 2025-04

- d. Administrative Complaint No. 2025-05
 - e. Administrative Complaint No. 2025-06
 - f. Administrative Complaint No. 2025-07
 - g. Administrative Complaint No. 2025-08
 - h. Administrative Complaint No. 2025-09
 - i. Administrative Complaint No. 2025-10
6. Discussion regarding current and potential litigation:
(*Chato, Woods*)
- a. Request for authorization of amicus participation in *Ortiz y Pino v. Toulouse Oliver* (10th Cir. 2025).
 - b. Commission authorization of a civil action regarding violations of the Governmental Conduct Act by a former official of a local municipality.
 - c. Commission authorization of a civil action regarding violations of the Government Conduct Act by an official of a local municipality.

Upon applicable motion, Commission returns from executive session

7. Administrative Matters under RULONA: Yes
(*Branch*)
- a. 2025-NP-01
8. Administrative Matters under State Ethics Commission Act: Yes
(*Chato, Randall*)
- a. Administrative Complaint No. 2024-91
 - b. Administrative Complaint No. 2025-02
 - c. Administrative Complaint No. 2025-04
 - d. Administrative Complaint No. 2025-05
 - e. Administrative Complaint No. 2025-06
 - f. Administrative Complaint No. 2025-07
 - g. Administrative Complaint No. 2025-08
 - h. Administrative Complaint No. 2025-09
 - i. Administrative Complaint No. 2025-10
9. Authorization of Civil Action: Yes
(*Chato, Woods*)
- a. Authorization of amicus participation in *Ortiz y Pino v. Toulouse Oliver* (10th Cir. 2025).
 - b. Commission authorization of a civil action regarding violations of the Governmental Conduct Act by a former official of a local municipality.

- c. Commission authorization of a civil action regarding violations of the Government Conduct Act by an official of a local municipality.

10. Discussion of next meeting: No
(Lang)

11. Public Comment No

12. Adjournment

For inquiries or special assistance, please contact Ethics.Commission@sec.nm.gov

The Commission will accept written public comment to Ethics.Commission@sec.nm.gov, with the subject line: "Public Comment: April 4, 2025," which will be distributed to Commissioners prior to the meeting and included in the official meeting minutes. Individuals wishing to participate by providing oral comment should register and join using the following link <https://us02web.zoom.us/join/register/lrVwQiLDQ3-bRZNPvTKgIA> public comment will be heard during the public comment section of the meeting, must be addressed to an agenda item above, and will be limited to a maximum of three minutes per individual.



STATE ETHICS COMMISSION

Commission Meeting Minutes of February 27, 2025, 1:00PM [Subject to Ratification by Commission]

Call to Order

Chair Lang called the meeting to order at 1:05 PM.

1. Roll Call

Chair Lang called roll; the following Commissioners were present:

Hon. William F. Lang, Chair (attended virtually)
Jeffrey L. Baker (attended virtually)
Stuart M. Bluestone (attended virtually)
Hon. Celia Castillo (attended virtually)
Hon. Gary Clingman (attended virtually)
Hon. Terry McMillan (attended virtually)
Dr. Judy Villanueva (attended virtually)

2. Approval of Agenda

Chair Lang sought a motion for approval of the agenda. Commissioner Castillo moved to approve the agenda; Commissioner Villanueva seconded. Hearing no discussion, Chair Lang conducted a roll call vote, Commissioners voted unanimously to approve the agenda.

3. Approval of February 7, 2025, Commission Meeting Minutes

Chair Lang sought a motion for approval of the revised minutes of the February 7, 2025, meeting. Commissioner Bluestone moved to approve the revised minutes; Commissioner Baker seconded. Hearing no discussion, Chair Lang conducted a roll call vote, Commissioners voted unanimously to approve the February 7, 2025 minutes.

Commission Meeting Items

---Begin Executive Session---

Chair Lang sought a motion to enter executive session. Commissioner Castillo moved to enter executive session under NMSA 1978, § 10-15-1(H)(7) (attorney-client privilege pertaining to threatened or pending litigation); Commissioner Baker seconded the motion. Hearing no discussion, Chair Lang conducted a roll call vote, Commissioners voted unanimously to enter executive session.

4. **Discussion regarding current and potential litigation:**

(Farris, Randall, Woods)

- a. Commission authorization of civil action regarding violations of the Governmental Conduct Act by an employee of a state educational institution
- b. Commission authorization of civil action regarding violations of the Procurement Code as against a contractor to a political subdivision
- c. Commission authorization of civil action regarding violations of the Lobbyist Regulation Act by an unregistered lobbying advertising campaign

---End Executive Session---

Matters discussed in closed session were limited to those specified in motion to enter executive session. After concluding discussion of these matters, the Commission resumed public session upon an appropriate motion pursuant to NMSA 1978, § 10-15-1(J).

5. **Action on Authorization of Civil Action**

(Farris, Randall, Woods)

- a. **Authorization of civil action against Dr. Joseph Shepard:** Chair Lang sought a motion to approve the authorization of a civil action against Dr. Joseph Shepard for alleged violations of the Governmental Conduct Act. Commissioner Bluestone moved to approve the motion; Commissioner Villanueva seconded. Commissioner Castillo recused herself from the matter. Hearing no further discussion, Chair Lang conducted a roll call vote. The motion was approved unanimously by the participating Commissioners, with Commissioner Castillo recusing.
- b. **Authorization of a demand and civil action against the Town of Kirtland and Farmington Construction, and D&G Construction; and Daniel Flack, the principal owner of DTF Engineering:** Chair Lang sought a motion to approve the authorization of a demand and civil action against the Town of Kirtland, Farmington Construction, D&G Construction, and Daniel Flack, the principal owner of DTF Engineering, regarding alleged violations of the Procurement Code and the Governmental Conduct Act. Commissioner Bluestone moved to approve

the motion; Commissioner Castillo seconded. Hearing no further discussion, Chair Lang conducted a roll call vote. The motion was unanimously approved.

- c. **Commission authorization of civil action regarding violations of the Lobbyist Regulation Act by an unregistered lobbying advertising campaign:** The Commission took no action on this item.

6. Discussion of Next Meeting

Chair Lang confirmed the next regularly scheduled meeting will take place on April 4, 2025.

7. Public Comment

There were no public comments.

8. Adjournment

Chair Lang raised the adjournment of the meeting. With no objections made, the meeting adjourned at 2:20 PM.