

NEW MEXICO ETHICS COMMISSION
Commission Meeting Minutes of September 13, 2019

1. The meeting convened at approximately 9:00. The roll was called. The full Commission was in attendance, which was Commissioners William Lang, Jeff Baker, Stuart Bluestone, Garrey Carruthers, Ron Solimon, Judy Villanueva and Frances Williams.
2. Approval of Minutes from Meeting of August 9, 2019: Commissioner Bluestone moved for approval of the Minutes, with a second from Commissioner Carruthers. Commissioner Solimon abstained from the vote, citing that he did not attend the meeting as a commissioner.
3. Approval of Agenda: Commissioner Carruthers moved approval of the Agenda with Commissioner Williams seconding. The motion was approved unanimously.
4. Department of Finance and Administration Update: Jeremy Farris, DFA General Counsel, presented on three topics, as contained in the Agenda and described below:
 - A) Financial Update: The Commissioners were provided spreadsheets that include Fiscal Year 20 expenditures and projections, and FY21 projections. Mr. Farris reported that \$417,000 was appropriated for FY20 for three staff positions that have yet to be created. The vacancy savings being generated from those positions has been the subject of a Budget Adjustment Request (BAR) that moved money from the personnel line item to the contracts line item. At the present time Matthew Baca is the only staff person being paid from the personnel line item. Projections for the remainder of the year are predicated on the assumption that the Executive Director would be in place by November 1, and the General Counsel and Administrative Staffer by December 1, 2019. The budgeted amount for renovation by the General Services Department of the possible Commission Offices at the Montoya Building has been quoted by the GSD at \$44,583. One concern expressed by Mr. Farris is the unknown cost of a hearing officer(s) and court reporter. Mr. Farris requested the Commission approve additional funding for the work of Paul Biderman (Rule Development) and Judith Espinosa (JPA Development). Commissioner Bluestone queried on Mr. Baca's salary, which was projected at approximately \$32,000 and Mr. Biderman's and Ms. Espinosa's contract. Mr. Farris explained that Mr. Baca's salary projection was through the entire FY20, while it was expected Mr. Baca would leave position on or about November 1. He further responded that the contract category had an unobligated balance of \$31,180, from which the two contracts would be funded. Commissioner Carruthers move that an additional \$8,000 be authorized as additional funding for the contracts. Commissioner Lang seconded and the motion was passed unanimously. Moving on to the FY21 projections, Mr. Farris stated that an initial budget request for \$700,000 had been submitted to the Legislative Finance Committee and the DFA. The increase of \$200,000 for the FY20 budget is in the contractual category. Commissioner Carruthers move to accept and Commissioner Baker seconded. Commissioner Bluestone asked what options were available for a supplemental appropriation. Mr. Farris answered that supplemental requests were due in October with a preliminary decision made in December. Commissioner Bluestone asked if a supplemental could be requested in January, with Mr. Farris responding in the affirmative, but noting it would be outside of the established process. The Commission unanimously passed the motion for budget approval.
 - B) Office Location: Mr. Farris presented the option of housing the Commission staff in Albuquerque or Santa Fe. Albuquerque would present an easier location for recruitment of staff and is the location of sister commissions (the Judicial Standards Commission and Disciplinary Board). Annual rental cost would be approximately sixteen dollars per square

foot. Albuquerque would provide a more central location for the Commission. In Santa Fe the Commission would be housed in the Montoya Building with an initial start-up cost of \$44,583. He noted that there will be no room in the Montoya Building for future growth. Commissioner Bluestone moved to defer a decision until after the Executive Director was hired. Commissioner Lang asked if anyone dissented from the motion and none did.

- C) Update on Joint Powers Agreement (JPA), Rule Promulgation and Training: Mr. Farris briefed the Commission on the meetings that had taken place with the Office of the Secretary of State, Attorney General's office and General Services Department. JPAs are being developed with the Secretary of State and GSD. It was determined that none would be needed with the AGO. He stated that the Commission would authorize the JPAs when the drafts are finalized. Mr. Farris noted that a meeting had taken place with the Legislative Council Service and he believes they may have a misimpression on the jurisdictional issue. He also said the Secretary of State has offered to train the Commission on either October 16 or October 30.

This concluded Mr. Farris' briefing.

- 5.) Interview of Candidates for the Position of Executive Director (ED): Mr. Farris told the Commission that because of his own candidacy for the ED position he had previously recused himself from any aspect of the hiring task. Matthew Baca had been assigned to oversee the hiring and would staff the Commission for the remainder of the meeting. Mr. Farris then departed. Eight candidates had been chosen for an interview from a pool of 23 applicants. One candidate, Leonard Padilla, was out-of-state and unable to reliably interview telephonically. As such, he withdrew his name. Each candidate was provided a 40-minute interview, and they were interviewed in the following order: Karl Reifsteck, Mark Reynolds, Anne Taylor, Amy Landau, Jenica Jacobi, Ramona Martinez, and Jeremy Farris. Upon completion of the interviews the Commission moved into Executive Session. The Commission reconvened in public approximately 30 minutes later. Commissioner Solimon moved to select Jeremy Farris as Executive Director. Commissioner Baker seconded the motion. Commissioner Bluestone stated the Commission was very fortunate to have such fine candidates. The motion was passed unanimously.
- 6.) Public Comment: The floor was opened for public comment and there was none.
- 7.) The meeting was adjourned at approximately 5:30 p.m.