



NEW MEXICO 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

**RESOLUTION NO. 2024-08 Authorizing a demand and civil action to enforce
the Procurement Code and Governmental Conduct Act.**

WHEREAS, THE NEW MEXICO STATE ETHICS COMMISSION
("Commission") met virtually on December 13, 2024, at 9:00 a.m.;

WHEREAS, the Commission has the authority to investigate violations and bring a
civil action to enforce the Procurement Code, NMSA 1978, §§ 13-1-28 to -199
(1984, as amended through 2023);

WHEREAS, the Commission has reason to believe that the contract between Luna
County and The Greater Luna County Economic Opportunity Council, Inc., d.b.a.
The Council, Inc. was procured in violation of the Procurement Code;

WHEREAS, the Commission has the power to investigate violations and bring a
civil action to enforce the Governmental Conduct Act.


WHEREAS, the Commission has reason to believe that the director and
incorporator of The Council, Inc., Christie Ann Harvey, violated NMSA 1978,
Section 10-16-8(D) of the Governmental Conduct Act.

WHEREAS, the Executive Director has sought the approval of the Commission to initiate a civil action under NMSA 1978, Sections 13-1-196, 10-16-14(E), 10-16-18(B) and 10-16G-9(F) to remedy violations of the Procurement Code, the Governmental Conduct Act, and any other laws within the Commission's jurisdiction, and has explained the proposed civil action and remedies to be sought;

NOW, THEREFORE, BE IT RESOLVED by the New Mexico State Ethics Commission:

1. The Commission's staff are authorized to demand that members of Luna County government and The Council, Inc., comply with the Procurement Code, to demand that Christie Ann Harvey and The Council, Inc. comply with the Governmental Conduct Act, to engage in settlement negotiations and mediation, to prepare and file civil action in a court of competent jurisdiction seeking to enforce the civil compliance provisions of the Procurement Code and the Governmental Conduct Act and any other relief that the court deems just and proper.
2. The Executive Director is instructed to provide regular updates on the status of the matter at the Commission's meetings during closed session. Commission staff shall communicate with the Chair as necessary between Commission meetings.
3. The Executive Director is authorized to enter an agreement to settle or dismiss claims brought against members of Luna County, The Council, Inc., and Christie Ann Harvey upon having conferred with the Chair or his designee.

Adopted by the New Mexico State Ethics Commission this 17th day of December 2024.



The Hon. William F. Lang
New Mexico State Ethics Commission
Chair