

**PUBLIC SCHOOL CAPITAL OUTLAY COUNCIL  
MEETING MINUTES  
STATE CAPITOL BUILDING ROOM 317  
May 2, 2022**

**Members Present:** Mr. Joe Guillen, NMSBA  
Mr. David Abbey, LFC  
Mr. Antonio Ortiz, PED  
Ms. Ashley Leach, DFA  
Ms. Mariana Padilla, Office of the Governor (departed at 2:34pm)

Mr. David Robbins, PEC  
Mr. Raúl Burciaga, LCS  
Dr. Vanessa Hawker, LESC  
Mr. Clay Bailey, CID

**1. Call to Order** – Chair Guillen called the meeting to order at 1:33 P.M.

**a. Approval of Agenda** – Chair Guillen asked if there were any changes to the agenda as presented; as there was none, Mr. Bailey moved for Council approval of the agenda. Ms. Padilla seconded, and **the motion was unanimously approved.**

**b. Correspondence** – None.

**2. Public Comment** – None.

**3. PSCOC Financial Plan**

**a. Financial Plan**

Mr. Mathews, Public School Facilities Authority ( PSFA) Chief Financial Officer (CFO), reviewed the summary of the Public School Capital Outlay Council (PSCOC) financial plan noting detailed changes of out-of-cycle, emergency and additional funding along with the PSCOC fund project award schedule detail modifications. Mr. Mathews proceeded to highlight additions to the financial plan from March 2022, indicating the column titled “FY25 Est.” lines 34 and 35 for the FY24 cycle awards were additions from the previous month. Ms. Padilla asked about the two projects that were noted as rescinded, and Ms. Casias, PSFA Executive Director, clarified that the money rescinded was from two pre-kindergarten (Pre-K) projects from Roswell Independent School District.

**b. Recertification of SSTBs\***

Mr. Mathews reviewed the Supplemental Severance Tax Bonds (SSTBs) executive summary and specified the total amount for certification was \$10.7M. Mr. Mathews proceeded to breakdown the five individual SSTBs into detailed amounts. Mr. Guillen asked if the SSTBs were a staff recommendation, and Ms. Casias clarified that the SSTBs were shared at the Awards subcommittee meeting, and the PSFA had added the SSTBs to the PSCOC agenda as there was an adjustment made to the SSTBs. Mr. Abbey asked what the undesignated fund balance of \$227,619 was being used for, and asked if it was being assigned to two projects. Mr. Mathews clarified that the funds would be used to reauthorize Sierra Vista Elementary School in Las Vegas, New Mexico, and the remaining balance of \$9,500 would be used for the FY22 lease assistance balance. Mr. Abbey requested a status report on what remained to complete the reconciliations. Mr. Mathews said that the PSFA was working on monthly reconciliations along with verifying the accuracy with the State Board of Finance (BOF), which occurred from the

latest draw in March 2022. Mr. Matthews said that the PSFA was current through 2018. Mr. Matthews said that the PSCOC fund balance dated April 4<sup>th</sup>, 2022, completed reconciliations with the BOF to the current draw for each series of bonds. Mr. Mathews explained it was a verification of each individual project. Mr. Abbey asked when the reconciliation could be completed, and Mr. Mathews said it could be completed in a few months. Mr. Ortiz asked about the \$5.5M for school buses that was approved as there had been supply issues, and it had been pushing back the lead times on school bus manufacturing. Mr. Mathews shared that the school buses were included in the certification for SSTB19SD0004 for \$5.5M. Mr. Abbey brought up the financial plan once more, and asked how much the FY23 SSTB notes (revenue budgeted July) could be, and Ms. Leach said that the full capacity for the fiscal year was sold in December 2021 because there was so much cash on hand and they were able to issue everything at that time. Ms. Leach said there was no capacity to issue anything in June 2022. Mr. Abbey said that the PSCOC reached the statutory higher year revenues. Ms. Leach said that FY21 revenues were lower than FY22 revenues, and the PSCOC was bound by that, though there was cash on hand.

**MOTION:** Mr. Robbins moved for Council approval for the adoption of the Resolution, Notification, and Certification and Reconciliation of unexpended bond proceeds as follows:

- SSTB18SB 0004 in the amount of \$227,619 to PSCOC awarded projects totaling \$227,619
- SSTB18SD 0001 in the amount of \$1,995,323 to PSCOC awarded projects totaling \$1,995,323
- SSTB19SD 0004 in the amount of \$ 7,448,654 to PSCOC awarded projects totaling \$7,448,654
- SSTB21SB 0001 in the amount of \$999,203 to PSCOC awarded projects totaling \$999,203
- SSTB20SB 0003 in the amount of \$33,000 to PSCOC awarded projects totaling \$33,000

Delegate authority to the chair to approve any changes to the resolutions and recertifications that may be required upon review by the BOF.

Mr. Burciaga seconded and the motion was unanimously approved.

**4. Consent Agenda**

- a. **March 14<sup>th</sup>, 2022 PSCOC Meeting Minutes\***
- b. **P19-006 Sierra Vista ES – Las Vegas City – Award Language Change\***
- c. **S22-011 Paul D. Henry ES – Las Vegas City – Award Language Change\***
- d. **P20-007 Des Moines Combined – Teacher Housing Design Phase Funding\***
- e. **BDCP 2021 Cat2 Awards\***
- f. **Request to Fund Counsel for SEN Negotiations\***
- g. **Waiver Policy Update\***
- h. **Method for Distribution of \$75M per SB212\***
- i. **Fund Reallocation for Facilities Information Management System\***
- j. **P-Card Policy\***

Mr. Guillen reviewed the items listed on the consent agenda and asked members if any item needed to be pulled for discussion; Mr. Abbey asked about fund reallocation for Facilities Information Management System (FIMS) agenda item, and brought up the statement noting to revert the unused balance, and questioned that if it was in the operating budget it would automatically revert. Ms. Casias clarified that the motion was requesting for the remaining fund balance amount of \$176,000 for the annual subscription fees to be reallocated from the operational budget (fund 94300) to the Public School Capital Outlay fund (fund 94700) so the PSFA could pay the remaining balance from the Public School Capital Outlay fund. Mr. Robbins clarified that the budget would stay the same, and that the funds would be moved from one account to another, as there was a surplus in the operating budget. Mr. Robbins said in essence it was a reversion completed at that time rather than at the end of the year. Mr. Abbey requested to discuss the waiver policy update, and Mr. Robbins replied that the Administration, Maintenance and Standards (AMS) subcommittee discussed several options, and it was determined that more background work was needed to define what districts had received waivers and what the potential impact was. Mr. Abbey requested to have the waiver policy shared with both AMS and Awards subcommittees at future meetings.

**MOTION:** Mr. Guillen moved for Council approval of the consent agenda. As this was a subcommittee recommendation, a second was not needed and **the motion was unanimously approved.**

## 5. Awards Cycle

### a. 2022-2023 Pre-Application Received for Standards and Systems

Ms. Ramos, PSFA Programs Manager, reviewed the executive summary for the 2022-2023 pre-applications that were received for standards, systems and pre-k awards cycle since the last meeting. A letter of intent was received from Gallup-McKinley County Schools indicating interest in standards-based projects for Gallup Central High School, Thoreau HS and David Skeet ES along with a systems-based request for Indian Hills ES. Ms. Ramos mentioned that all of the projects would be presented for award at the June 2022 PSCOC meeting. Additionally, there would be district presentations for standards-based and Pre-K projects. Awards would be presented at the July 2022 PSCOC meeting. Ms. Ramos mentioned that based on the numbers, the state match for all projects would be \$94.3M in total, so far. Mr. Robbins asked what the issues were at Indian Hills ES since the Facilities Condition Index (FCI) was so low, and questioned if there were safety issues or if it were issues that would impact the integrity of the school if they were not pursued. Ms. Ramos said that the PSFA was performing the site visit on May 4, 2022, and at that time the PSFA would confirm and validate the facility condition deficiencies that the district claimed. Ms. Ramos mentioned that several of the systems the Gallup-McKinley County Schools requested were not eligible for systems-based projects, and the PSFA was going to assess the issues further at the site visit.

**6. Out-of-cycle Funding /Award Language Requests**  
**a. P20-004 Southern Heights ES – Hobbs – Award Language Change and Construction Phase Funding\***

Mr. Abbey reviewed the potential motion for the Southern Heights ES award language change and construction phase funding request. Mr. Abbey mentioned the Awards subcommittee had a discussion about costs per square foot (SF) and the Awards subcommittee thought it would be useful to bring costs to the Council to look at the numbers. Ms. Casias shared a handout of construction bids from 2018 to present, and mentioned Hobbs Southern Heights ES gross square footage (GSF) costs including the increased square footage by adding four Pre-K classrooms amounted to be \$388/SF, and the out-year construction funding was originally based on \$305/SF, but due to current circumstances in the construction industry, the cost had increased to \$388/SF. Ms. Casias said that the PSFA thought the updated increased cost was accurate. Mr. Parks, PSFA Deputy Director, reviewed the handout of construction bids from 2018 to present in detail, and mentioned the PSFA anticipated a 10-20% cost increase from what the March 10, 2022 Southern Heights bid priced. Ms. Casias mentioned the PSFA was in the process of going back to pull historical GSF figures, as the PSCOC requested. Mr. Parks pointed out the New Mexico School for the Blind and Visually Impaired (NMSBVI) Garrett Dormitory cost was \$421.29/SF and the area was about 17,000 SF, which was a smaller facility and it did not present an economies of scale compared to the larger facilities. Mr. Parks said dormitories have specialized component types compared to school facilities. Mr. Abbey asked for clarification, as the PSFA had received pricing of \$700/SF for a project with Alamogordo Public Schools. Mr. Parks clarified that the PSFA received an estimate of probable construction cost from the architect in the amount of \$655-\$710/SF. Mr. Abbey said the point of collecting this data and to present it on a regular basis was to make Council members aware pricing comparisons. Mr. Guillen agreed with Mr. Abbey and said that was good information to have.

Mr. Robbins asked if there was anything the PSFA or the State could do to mitigate rising prices on materials, and suggested a futures contract as an insurance policy that could potentially save millions of dollars. Mr. Parks said that a couple of districts were thinking ahead, and that Los Alamos Public Schools was planning on using the Construction Manager at Risk (CMAR) method for two schools, and Farmington Municipal Schools was also thinking of using CMAR for their six systems-based projects that were recently awarded. Mr. Parks said that with the six Farmington Municipal School CMAR projects, the contractor could order all the roofing material at once for all projects, and they could house the material in a bonded/insured warehouse or yard, and the same thing could occur with mechanical units as well, which would create an economy of scale. Mr. Parks said that this would save time and money as some of the materials were at a 12-18 month lead-time. Ms. Leach added an experience when the BOF had to approve the Association of Governing Boards (AGB) projects, and many times the AGB projects would come back with cost increases. Ms. Leach said that the BOF had an economist from one of the building trades national organizations present on the topic, and that the conversation brought up that it is based on a project-by-project basis and a contractor-basis, and when there is competitive bidding, many construction companies are hesitant with futures purchasing because the contractors are not sure they are going to receive a bid. Ms. Leach said that there are times when the construction companies can utilize it and there are times when the

construction companies cannot. Ms. Leach said that it was challenging considering the unique individuality of each project and storing the materials would be a big concern.

Mr. Gene Strickland, Superintendent of Hobbs Municipal Schools, thanked the Council for considering the request, and appreciated the dialogue in regards to the construction costs. Mr. Strickland also thanked the PSFA staff and the Council for the opportunity.

**MOTION:** Council approval to amend the current standards-based award to Hobbs Municipal Schools for Southern Height ES construction phase funding for 69,775 GSF for 500 students, grades pre-k through grade 5, for a state match of \$16,047,470 (52%), and a corresponding local match of \$14,814,021 (48%). As this was a Subcommittee recommendation, a second was not needed and **the motion was unanimously approved.**

**b. P20-001 Gadsden MS – Gadsden – Design Phase Funding\***

Mr. Abbey reviewed the potential motion for the Gadsden Middle School design phase funding request. Mr. Guillen mentioned there was a second project from Gadsden Independent School District, and asked if the second project should be handled separately. Mr. Abbey said that both projects could be moved for motion at the same time, and proceeded to also review the potential motion for the Chaparral MS design phase funding request. Ms. Casias added that the PSCOC had funded studies prior to the design phase request to determine if replacement or renovation would be more efficient and financially responsible.

Mr. Rafael Gallegos, Executive Director for Energy Management and Construction for Gadsden Independent School District, shared appreciation for the Council's support in the two project ventures. Mr. Gallegos mentioned that the school district had completed lengthy studies of both schools through the Cooperative Strategies organization, and the educational specifications would be presented to the architects that would eventually be selected. Mr. Gallegos said that the architect would then work with the committees, principals and teachers to design the two schools. Mr. Guillen thanked Mr. Gallegos for attending the meeting and asked of any history that Gadsden Independent School District worked with the PSCOC. Mr. Gallegos said that Chaparral MS had worked with the PSCOC around 2000-2001 to set-up the fire alarm and sprinkler system, and Gadsden MS worked with the PSCOC in 2010-2011 with minor construction to help improve the building, and as ten years passed, Mr. Gallegos said that it was time to replace Gadsden MS completely. Mr. Gallegos thanked the Council for their support on behalf of the Gadsden School Board and Superintendent, Mr. Travis Dempsey.

**MOTION:** Council approval to amend the current standards-based award to Gadsden Independent Schools for Gadsden MS to include design phase funding for the replacement of the existing facility in order to construct a new school with a design enrollment of 732 students, grades 7-8 up to the maximum allowable gross square footage of 92,675 GSF, with an increase in the state match of \$3,823,771 (70%), and a local match of \$1,638,759 (30%), for the design phase up to \$5,462,530. Review of design enrollment shall occur during the design phase with approval of the design enrollment prior to the out-of-cycle construction phase funding request. As this was a Subcommittee recommendation a second was not needed and **the motion was unanimously approved.**

**c. P22-006 Chaparral MS – Gadsden – Design Phase Funding\***

This agenda item was discussed in conjunction with agenda item VI.B. No further discussion was held.

**MOTION:** Council approval to amend the current Standards-based award to Gadsden Independent Schools for Chaparral MS to include Design Phase funding for the full renovation of the existing facility to construct a new school with a design enrollment of 680 students, grades 7-8 up to the maximum allowable gross square footage of 89,001 GSF, with an increase in the state match of \$2,610,636 (70%) and a local match of \$1,118,844 (29%) for the design phase up to \$3,729,480. Review of design enrollment shall occur during the Design Phase with approval of the design enrollment prior to the out-of-cycle Construction Phase funding request. As this was a Subcommittee recommendation a second was not needed and **the motion was unanimously approved.**

**d. K18-012 Monterrey ES – Roswell – Rescind Award\***

Mr. Abbey reviewed the potential motion for the request to rescind the award for Roswell, Monterrey ES. Mr. Guillen mentioned there was a second project from Roswell Independent School District, and asked if the second project should be handled separately. Mr. Abbey said that both projects could be moved for motion at the same time, and proceeded to also review the potential motion for the Sunset ES rescinding award request.

Ms. Casias explained a discussion that PSFA had with the school district. Originally the district had Pre-K classrooms spread out amongst the whole district, but the district built an early childhood center. The district decided to rescind the two awards and have the Pre-K students located at the early childhood center. The district felt that there was a vacancy at the early childhood center and there was no longer a need to have Pre-K classrooms at Monterrey ES and Sunset ES. Mr. Guillen asked if this was a local decision based on the district's planning and consideration of local conditions. Ms. Casias said it was based on how the district wanted to teach their Pre-k Program. Mr. Guillen asked if the district had any representatives present, and Ms. Casias said no representatives were present. Ms. Padilla asked if there was any discussion between the PSFA staff and the district about whether or not that move would leave the district at a deficit of Pre-K slots or did the early childhood center have enough to accommodate the community. Ms. Casias said that the district indicated that it had more than enough space at the early childhood center, and it would not put the district in a deficit. Ms. Padilla asked if the early childhood center was a part of the district, and Ms. Casias responded in the affirmative. Mr. Guillen wondered where that would leave the two projects should the conditions change, and asked if the district would be able to come back at any time. Ms. Casias explained that with the way the Pre-K program worked, if there was a need, the district did not need to be at any rank position on the list and the district could reapply.

**MOTION:** Council approval to rescind the 2017-2018 Pre-Kindergarten based award to the Roswell Independent School District for Monterrey ES with a state match reversion in the amount of \$226,286. As this was a Subcommittee recommendation a second was not needed and **the motion was unanimously approved.**

**e. K18-013 Sunset ES – Roswell – Rescind Award\***

This agenda item was discussed in conjunction with agenda item VI.D. No further discussion was held.

**MOTION:** Council approval to rescind the 2017-2018 Pre-Kindergarten based award to the Roswell Independent School District for Sunset ES with a state match reversion in the amount of \$351,257. As this was a Subcommittee recommendation a second was not needed and **the motion was unanimously approved.**

**7. Other Business**

**a. Potential Legislative Initiatives**

Mr. Robbins reviewed the discussions held in the AMS Subcommittee and mentioned that there were several areas the committee discussed and looked at in terms of making changes or potential requests to the legislature. Ms. Casias reviewed each potential legislative initiative in detail.

Beginning with the New Mexico Statewide Adequacy Standards, Ms. Casias proposed to revisit the standards based on educational delivery currently practiced. Additionally, Ms. Casias said districts suggested their desire to revisit career technical education and special education as currently listed in the adequacy standards. Ms. Casias proceeded to describe the proposed plan to visit with the districts about the adequacy standards and bring the recommended changes and feedback back to the Council. Subsequently to follow-up with a public hearing. Mr. Guillen asked how the Adequacy Standards would be factored in with legislative action. Ms. Casias said initially the Adequacy Standards were noted as one of the potential legislative initiatives, though the Subcommittees determined Adequacy Standards are something the PSCOC could authorize changes to. Ms. Casias mentioned that in past years, the Adequacy Standards were shared with the Public School Capital Outlay Oversight Task Force (PSCOOTF) after PSCOC decisions had been made. Mr. Robbins mentioned the discussion that occurred in AMS. They reviewed various proposal options and the need to solicit input from the school districts and the community, and then present to the Council and PSCOOTF. With the intent to finalize the initiative by the late summer or early fall. Mr. Robbins said there were no definitive changes proposed at that time.

The second proposed Legislative Initiative Ms. Casias shared was also referenced in the Adequacy Standards. Ms. Casias said the concern regarding the language within the Adequacy Standards stating “exceeding the statewide Adequacy Standards” or “building to adequacy” or “excess of adequacy.” Ms. Casias said it was established that you build to the Adequacy Planning Guide and the Adequacy Standards were merely a measuring tool. Ms. Casias said that often times when the PSFA works with districts they say that they cannot build to adequacy, and the PSFA says the adequacy standards are a deficiency measurement to capture deficiencies for ranking purposes. The PSFA wanted to add clarification within the adequacy standards, suggesting proposed language such as “within the allowable gross square footage” instead of “to adequacy.” Ms. Casias said that the PSFA was suggesting to potentially not use the term “Adequacy Standards.” This is one consideration proposed to share with the PSCOOTF for discussion. Mr. Guillen asked Ms. Casias if the intent was to be more flexible with the standards, and Ms. Casias replied that the intent was to stop saying that schools can only “build to adequacy.”

Ms. Casias proceeded to review the third proposed legislative initiative, regarding direct legislative appropriations (offsets). Ms. Casias shared that when the PSFA worked with school districts around the state, many of the districts cannot apply for PSCOC funding because the district had an offset, and some were around five or ten years old, and the districts find it to be a hindrance to be able to apply for PSCOC funding. Mr. Robbins said that districts are not required to accept legislative appropriations, and that is what created the offset. He emphasized his opinion to not allow a large district with a large legislative clout to circumvent the intent of the statute to not allow districts to receive both earmarked funds and then receive additional funding through the PSCOC, because it would put smaller districts in a disadvantage. Mr. Robbins said there was some validity, because some of the funds that had been allocated had not been used directly in building educational facilities, and to possibly consider ways of being more flexible and not have offsets as an umbrella that any legislative appropriation would automatically create an offset; it could be an offset only if it was an educational space, but if it was used for some other purpose it wouldn't necessarily create the offset. Mr. Robbins said that could provide flexibility, and allow school districts to participate to a larger degree. Mr. Robbins suggested considering to look at the downsides of not having the offsets, and that there were a lot of valid reasons to waive the offsets. Mr. Guillen said that the New Mexico School Boards Association (NMSBA) had been on the record for several years as opposing offsets, and NMSBA had recognized that the offsets were put in place to keep districts from coming to the PSCOC rather than approaching the legislature for smaller projects. Mr. Guillen said that had not stopped, and in 2022 there was \$25M of the \$87M in the capital outlay bill that went directly to schools. Mr. Guillen said that some of the smaller districts were not aware of the offsets and how it worked. Mr. Guillen thought it had been a part of the Zuni settlement and then put into statute at a later date. Mr. Guillen said that cities and counties were not subjected to the same offset, but there were other programs cities and counties could approach for water, sewer, streets and roads, but the cities and counties also went to the legislature for that and were not held to that same offset. Mr. Guillen said if the intent was good, and if there was enough money, and the restrictions were flexible enough it could allow for all districts to get funding through the PSCOC. Mr. Guillen said that Santa Fe Public Schools had never worked with the PSCOC and had only gone strictly to the legislature for capital outlay needs.

Ms. Casias continued to review the fourth proposed legislative initiative, the PSFA operational budget (three-year rolling average). Ms. Casias mentioned that the current PSFA budget is based on 5% of the three year rolling average of the annual grant assistance authorized. Ms. Casias said at times this would cause inconsistencies in the PSFA budget, and created instability with ongoing project loads following the years of low revenue. Ms. Casias presented the three possible solutions, and proposed to move to a five year rolling average instead of a three year rolling average.

Ms. Casias reviewed the fifth proposed legislative initiative, the state-local match. Ms. Casias said that three years ago there was a change to the state-local match formula that increased the local share and decreased the state share, which resulted in fewer districts applying for PSCOC funding as the districts indicated the local share was too high. Ms. Casias shared three recommendations to reverse the formula, revisit the current formula or to simplify the formula. Ms. Casias requested approval from the Council to have this initiative added to the PSCOOTF agenda.



Ms. Casias reviewed the sixth proposed legislative initiative, unrestricted revenue, and recounted the PSCOC had tasked the PSFA in October 2021 to work with districts to define the term “unrestricted revenue.” Ms. Casias proceeded to share the result of the proposed definition that was developed. Ms. Casias said that ultimately the question was: “is it fair?” Ms. Casias said some districts receive impact aid and some do not, and the House Bill 6 (HB-6) money would be a part of the local match, which would increase the amount of funding some districts would have compared to other districts. Ms. Casias said the intent of the proposed initiative was to try and define unrestricted revenue. Additionally, PSCOC has until 2024 to implement the definition (HB-6). Ms. Casias shared the details of the definition analysis determined by the school districts who participated in the discussions, and said that the committee participation was not too varied, and the main attendees were Zuni Public Schools and Gallup-McKinley County Schools. Mr. Robbins said the Council should be cognoscente of any impacts that these changes may have due to pending lawsuits because if the definition is changed, it may allow larger districts to have bigger non-school facilities and the smaller districts would be at a greater disadvantage.

Ms. Casias reviewed the seventh proposed legislative initiative, Broadband and the PSCOC. Ms. Casias shared that the PSFA and the Broadband Deficiencies Correction Program (BDGP) was working on developing the Statewide Education Network (SEN). Due to lack of staffing, Ms. Casias recommended that the PSFA start up the SEN for the next 2-3 years, and then turn over the SEN to the Office of Broadband. Ms. Casias shared concern regarding the management of implementing the SEN and management of the SEN once it would be up and running. Ms. Casias suggested that if the SEN stays with the PSFA, there should be a new focus area to complement the existing PSFA mission, along with new staffing and a new funding source to support the SEN. Ms. Casias proposed using some of the funding allotted for the SEN program to hire contract labor until the State of New Mexico’s Office of Broadband was ready to take the SEN over. Ms. Casias shared details of the five recommendations to propose as legislative initiatives.

Mr. Guillen shared appreciation to Ms. Casias for putting the proposed initiatives together and for both Subcommittees looking at the initiatives. Mr. Guillen said that the Council had not collectively reviewed legislative initiatives before, and mentioned if the Council could agree on the proposed legislative initiatives, it could work with the PSCOOTF closely to fully implement legislative initiatives. Mr. Burciaga mentioned that Mr. Turner had planned discussions coming up with the Chair and Vice-Chair of the PSCOOTF to review the proposed legislative initiatives. Mr. Abbey said the Council had a lot of expertise the PSCOOTF did not have, as the Council looks at things month-to-month. Mr. Guillen said the membership on the PSCOOTF was diverse.

Mr. Guillen asked for the action on the agenda item, and Ms. Casias and Mr. Robbins directed the Council to the proposed AMS motion. Mr. Robbins reiterated the recommended motion and emphasized broadband was in tremendous need of broadband support and expansion for students since the COVID-19 Pandemic.

**MOTION:** Council approval to move forward with the Potential Legislative Initiatives as outlined in Exhibit A “Potential Legislative Initiatives.” For consideration of placement on the Public School Capital Outlay Oversight Taskforce (PSCOOTF) Workplan Agenda. As this was

a Subcommittee recommendation a second was not needed and the motion was unanimously approved.

**Las Vegas City - Emergency Fire Request (*Informational*)**

This item was not on the Agenda; No action was taken on the request. Ms. Casias described the emergency request from Larryssa Archuleta, Superintendent from the Las Vegas City Public Schools District, and indicated an emergency request to re-open Memorial MS in Las Vegas City and move students from Mike Mateo Sena ES and New Memorial MS. Ms. Archuleta said that the electricity is out and there is concern about the fire. Ms. Casias said that Memorial MS location did not have a cafeteria and Ms. Archuleta requested funding to make the school habitable for the students through the duration of the fire and for the rest of the year. Mr. Guillen said because of the Open Meetings Act, the Council could not take action on the request, and suggested a small Subcommittee to review the request. Mr. Robbins asked if there were emergency orders where the BOF could handle the request expeditiously. Ms. Leach said it depended on the timing, and the BOF plans to meet in a couple weeks and that is something that they could potentially consider. Mr. Guillen said that Ms. Padilla had been receiving a lot of requests and that the Governor's office had access to emergency funding and Ms. Padilla was going to meet with Mr. Guillen in the next couple of days. Mr. Guillen requested for Mr. Ortiz, Mr. Robbins and Ms. Padilla to be on the committee to discuss the situation further. Mr. Bailey suggested to assess other security issues in Memorial MS before considering re-opening the facility. Ms. Casias said that the school closed in 2018, and was not sure of the current condition of the fire suppression system or the fire alarm system. Mr. Robbins indicated this needed to be discussed quickly, as further potential evacuations in the city could happen soon.

**8. Informational**

**a. BDCP Project Status**

Ms. Casias briefly reviewed the BDCP Project Status Update and that there was nothing outstanding for the Cat1 and Cat2 Awards.

**b. Process Improvements Update**

Ms. Casias shared the status of the process improvement efforts by reviewing the timeline and discussed the completed tasks and indicated the remaining tasks. Ms. Casias mentioned that the PSFA planned to be complete with the process improvement efforts in July 2022. Mr. Abbey asked who the vendor was, and Ms. Casias responded that the founders name was Felicia Ortiz and the company was called PM Solutions. Mr. Abbey asked what Ms. Ortiz's experience was, and Ms. Casias said that Ms. Ortiz was a resident of Las Vegas, was on the school board, and has worked on various construction projects. Mr. Abbey requested to see feedback from stakeholders and Ms. Casias mentioned she would share that with the Council members. Mr. Abbey asked for further updates on the process improvements to have validation on the efforts. Ms. Casias said that a final report would be shared with the Council in July 2022, and at that time decisions would be made about what should and should not be implemented. Mr. Guillen asked if there were things that could be administratively internally as soon as possible, and Mr. Abbey asked for an updated status report once more before the final report is presented in July 2022. Ms. Casias responded in the affirmative.

**c. Project Status Report**

No discussion.

**9. Consideration for Approval to Adjourn to Executive Session Pursuant to the Open Meetings Act NMSA 1978, 10-15-1 (H)(2) (Roll Call)\***

**MOTION:** Mr. Burciaga moved for Council approval to adjourn to Executive Session Pursuant to the Open Meetings Act NMSA 1978, 10-15-1 § (H)(2). Mr. Robbins seconded the motion and roll call was taken.

**Roll Call:**

Mr. Abbey – Yes	Ms. Padilla – Absent	Mr. Robbins – Yes
Mr. Burciaga – Yes	Mr. Ortiz – Yes	Mr. Bailey – Yes
Dr. Hawker – Yes	Ms. Leach – Yes	Mr. Guillen – Yes

**10. Reconvene to Open Session (Roll Call)\***


**MOTION:** Mr. Burciaga moved for Council approval to reconvene from Executive Session pursuant to the Open Meetings Act NMSA 1978, 10-15-1 § (H)(2). Mr. Robbins seconded the motion and roll call was taken.

**Roll Call:**

Mr. Abbey – Yes	Ms. Padilla – Absent	Mr. Robbins – Yes
Mr. Burciaga – Yes	Mr. Ortiz – Yes	Mr. Bailey – Yes
Dr. Hawker – Yes	Ms. Leach – Yes	Mr. Guillen – Yes

**11. Next PSCOC Meeting - Proposed for June 6, 2022.**

**12. Adjourn** – There being no further business to come before the Council, Mr. Abbey moved to adjourn the meeting. There being no opposition **the motion was unanimously approved.** The meeting adjourned at 3:42 P.M.

 Chair  
6/9/22 Date