

State of New Mexico  
Public School Capital Outlay Council

**PSCOC Members**

Joe Guillen, NMSBA – Chair  
Raul Burciaga, LCS – Vice Chair  
David Abbey, LFC  
Gwen Perea Warniment, LESC  
Antonio Ortiz, PED  
Martin Romero, CID  
David Robbins, PEC  
Mariana Padilla, OG  
Ashley Leach, DFA



**Public School Facilities Authority**

Martica Casias | Executive Director  
Ryan Parks | Deputy Director

---

## Meeting Minutes Summary

PSCOC Full Council Meeting  
State Capitol Building, Room 307 – November 21, 2022

*Unofficial notes drafted for the convenience of subcommittee members and subject to revision at member request.*

### I. Call to order – Joe Guillen, Chair

Chair Guillen called the meeting to order at 1:05 P.M.

#### a. Approval of Agenda\*

Chair Guillen asked if there were any changes to the agenda as presented; Item III was postponed until all members arrived to the meeting. Mr. Robbins moved for Council approval of the agenda. Mr. Burciaga seconded and **the motion was unanimously approved.**

#### b. Correspondence

No Correspondence was received.

### II. Public Comment

No Public Comment was made.

### III. Approval to Adjourn to Executive Session Pursuant to the Open Meetings Act NMSA 1978, 10-15-1 (H) (2) to consider settlement proposal of the Shatona Martin v. New Mexico Public School Facilities Authority No. D-101- CV-2020-01592 (Roll Call)\*

Roll call was taken to adjourn into Executive Session. Mr. Robbins moved a motion to adjourn into Executive Session, Mr. Burciaga seconded the motion. There being no opposition, **the motion was anomalously approved.**

David Abbey – Yes	Ashley Leach – Yes
Gwen Perea Warniment – Yes	Mariana Padilla – Yes
Antonio Ortiz – Yes	Raul Burciaga – Yes
Clay Bailey - Yes	Joe Guillen – Yes
David Robbins - Yes	9 of 9 Members Voted Yes.

## IV. Reconvene to Open Session (Roll Call)\*

Roll call was taken to reconvene to Open Session. No action was taken during executive session. Mr. Robbins moved to Reconvene into Open Session, Mr. Bailey seconded the motion. There being no opposition, **the motion was anomalously approved.**

David Abbey – Yes	Ashley Leach – Yes
Gwen Perea Warniment – Yes	Mariana Padilla – Yes
Antonio Ortiz – Yes	Raul Burciaga – Yes
Clay Bailey - Yes	Joe Guillen – Yes
David Robbins - Yes	9 of 9 Members Voted Yes.

## V. Action on Settlement Proposal re; Shatona Martin vs New Mexico PSFA\*

Ms. Leach moved to take Action on the Settlement Proposal, Mr. Burciaga seconded the motion. Chair Guillen requested a formal roll call vote be taken. **The motion was approved with five yes and four members opposing.**

David Abbey – No	Ashley Leach – Yes
Gwen Perea Warniment – No	Mariana Padilla – Yes
Antonio Ortiz – Yes	Raul Burciaga – Yes
Clay Bailey - No	Joe Guillen – Yes
David Robbins - No	5 of 9 Members Voted Yes; 4 Members Voted No.

## VI. Finance

### A. PSCOC Financial Plan

Mr. Brad Mathews, PSFA Chief Financial Officer, presented the PSCOC Financial Plan highlighting changes from the executive summary since the last meeting.

### B. Bond Reconciliation Update

Mr. Brad Mathews, PSFA Chief Financial Officer, presented the updates from the Bond Reconciliation. Staff will work on documentation of processes.

### C. December Certification of Bond Sale\*

Mr. Brad Mathews, PSFA Chief Financial Officer, presented the request to approve the December Certification of Bond Sale. No significant discussion occurred.

<b>MOTION:</b> Mr. Guillen moved for Council approval of the December 2022 Certification and Resolution to sell SSTBs in the amount of \$339.2M. As this was a subcommittee recommendation, a second was not needed and <b>the motion was unanimously approved.</b>	<b>APPROVED</b>
---	-----------------

## VII. Consent Agenda\*

Items on the Consent Agenda were not discussed; all Consent Agenda items were approved in a single motion.

### A. October 11, 2022 PSCOC Meeting Minutes

Council approval of the October 11, 2022 PSCOC Meeting Minutes.

### B. 2023-2024 Facilities Master Plan Assistance Awards

Council approval to make the 2023-2024 Facilities Master Plan (FMP) Assistance awards funding the state share for applicant school districts and state-chartered charter schools in the amounts not-to-exceed in Exhibit A (Column H/Rows 1-21) for a total of \$555,035.89.

**C. S23-001 Gallup Indian Hills ES – Technical Correction to Award Language Change**

Council approval to amend the award language to include a technical correction of the state match from \$6,063,191, to the correct state match of \$3,475,836 (82%), for the current Systems-based award to the Gallup-McKinley County Schools for Indian Hills ES.

**D. 2022 Broadband Deficiencies Correction Program Cat2 Awards**

**(Network Equipment)**

Council approval to make Broadband Deficiencies Correction Program (BDCP) awards of actual E-rate approved project amounts to provide the state match for application funding year 2022 for Category 2 (Network Equipment) to six school districts/schools for a total of \$91,466.68 up to the amounts listed in column O of the award spreadsheet attached as Exhibit A.

**E. 2022 Broadband Deficiencies Correction Program Cat2 – Technical Correction to Award Language Change**

Council approval to correct the October 2022 Cat2 total award amount from \$222,304.97 to \$222,172.82, with the state award amount for Vaughn schools being \$314.60 instead of \$595.67 as shown in Exhibit A.

**F. Special Budget Request**

Council approval for the following special budget requests:

- Purchase 11 vehicles for \$214,456.
- Procure an IT power backup supply for \$150,000.

**G. FY22 PSFA Annual Report Draft**

Council approval of the FY22 PSCOC and PSFA Annual Report draft, and authorization for PSFA staff to make final edits, technical corrections, and graphic development. Final document to be approved by the PSCOC and subcommittee chairs prior to printing and distribution.

**H. Joint Powers Agreement for Office of the Broadband and PSCOC**

Council approval for Joint Powers Agreement (JPA) (dependent on successful negotiations with the top ranking proposers to the Statewide Education Network (SEN) RFP) with the State of New Mexico’s Office of Broadband Access and Expansion (OBAAE), administratively attached to the Department of Information Technology (DoIT), for the oversight and management of the SEN.

<b>MOTION:</b> Mr. Robbins moved for Council approval of the consent agenda. Dr. Warniment seconded the motion. As there was no opposition, <b>the motion was unanimously approved.</b>	<b>APPROVED</b>
---	-----------------

**VIII. Awards Cycle**

**A. 2022-2023 Capital Outlay Standards-based Overview of Potential Awards and District Presentations**

Ms. Alyce Ramos, PSFA Programs Manager, reviewed the applications and potential awards for Estancia and Pojoaque. The two districts presented their formal request to the Council. The Awards will be presented to the districts at the Full Council meeting on January 9th, 2023.

**IX. Out-of-Cycle Awards**

**A. P22-005 Los Alamos Pinon ES – Construction Funding Request\***

Ms. Casias presented the request from the district. The motion was amended to include a replacement facility for Pre- K-6<sup>th</sup> grade.

<p><b>AMENDED MOTION:</b> Mr. Guillen moved for Council approval to amend the current Standards-based award to Los Alamos Public Schools for Pinon ES to include Construction Phase funding for a replacement facility for 378 students, grades <i>Pre-K-6<sup>th</sup></i>, up to the maximum allowable gross square footage of 50,411 GSF, with an increase in the state match of \$7,485,546 (20%) and a corresponding local match of \$29,942,184 (80%). As this was a subcommittee recommendation, a second was not needed and <b>the motion was unanimously approved.</b></p>	<p><b>AMENDED APPROVED</b></p>
---	------------------------------------

**B. T20-029 West Las Vegas – Request for Emergency Systems-based Award\***

Ms. Casias presented the request for an Emergency Systems-based award. The Council amended the motion to include a bi-monthly report to PSFA from the district and deadline for the project completion of August of 2023.

<p><b>AMENDED MOTION:</b> Mr. Guillen moved for Council approval of an Emergency Systems-based award to the West Las Vegas School District in the full amount of the original Security award, totaling \$502,263.00, pursuant to §22-24-4.6 NMSA 1978. Mr. Bailey seconded the motion. There being no opposition, <b>the motion was unanimously approved.</b></p>	<p><b>AMENDED APPROVED</b></p>
---	------------------------------------

**C. P23-004 Farmington – Heights MS – Local Match Advance Request\***

The motion was approved by the Council as recommended by the Awards Subcommittee. All three requests were approved in one motion with no further discussion.

<p><b>MOTION:</b> Mr. Guillen moved for Council approval to amend the current Standards-based award to Farmington Municipal Schools for Heights MS for the following:</p> <ul style="list-style-type: none"> <li>• Part 1: A reduction of the current local match from \$2,915,673 (63%) to \$1,943,782 (42%) and, an increase in the state match from \$1,712,379 (37%) to \$2,684,270 (58%).</li> <li>• Part 2: An advance of the reduced local match of \$1,943,782 for the previously award Planning and Design Phase and a repayment plan of 2 annual payments of \$647,927.33 and 1 annual payment of \$647,927.34 starting on June 1, 2026 and concluding on June 1, 2029, that is contingent upon a successful General Obligation Bond election in November 2025. For an increase in the State match of \$1,943,782 for a total of \$4,628,052 (100%) and decrease of the local match to \$0.00. As there was no opposition, <b>the motion was unanimously approved.</b></li> </ul>	<p><b>APPROVED</b></p>
---	------------------------

**D. P23-005 Farmington – Mesa Verde ES – Local Match Advance Request\***

No discussion for this item occurred. The motion was approved as recommended by the Awards Subcommittee.

<p><b>MOTION:</b> Mr. Guillen moved for Council approval to amend the current Standards-based award to Farmington Municipal Schools for Mesa Verde ES for the following:</p> <ul style="list-style-type: none"> <li>• Part 1: A reduction of the local match from \$1,786,208 (63%) to \$1,190,805 (42%) and an increase in the state match from \$1,049,043 (37%) to \$1,644,446 (58%).</li> <li>• Part 2: An advance of the reduced local match of \$1,190,805 for the previously award Planning and Design Phase and a repayment plan of 3 annual payments of \$396,935 starting on June 1, 2026 and concluding on June 1, 2029, that is contingent upon a successful General Obligation Bond election in November 2025. For an increase in the State match of \$1,190,805 for a total of \$2,835,251 (100%) and decrease of the local match to \$0.00 (0%). As there was no opposition, <b>the motion was unanimously approved.</b></li> </ul>	<p><b>APPROVED</b></p>
--	------------------------

**E. K23-001 Farmington – Preschool Academy East – Local Match Advance Request\***

No discussion for this item occurred. The motion was approved as recommended by the Awards Subcommittee.

<p><b>MOTION:</b> Mr. Guillen moved for Council approval to amend the current Pre-Kindergarten-based award to Farmington Municipal Schools for Preschool Academy East to include a reduction of the local match from \$1,701,194 (63.00%) to \$850,597 (31.50%) for the previously awarded Planning and Design Phase, and an increase in the state match from \$999,114 (37.00%) to \$1,849,711 (68.50%). As there was no opposition, <b>the motion was unanimously approved.</b></p>	<p><b>APPROVED</b></p>
---	------------------------

**X. Other Business**

**A. Recertification of SSTBs**

Mr. Mathews reviewed the item and the requested to approve the recertification of Supplemental Severance Tax Bonds for the purpose of PSCOC awarded projects and noted the amount for Los Alamos Pinon ES.

<p><b>MOTION:</b> Mr. Guillen moved for Council approval for the adoption of the Resolution, Notification, and Certification and Reconciliation of unexpended bond proceeds as follows:</p> <ul style="list-style-type: none"><li>• SSTB21SD 0001 in the amount of \$4,701,881 for PSCOC awarded projects.</li><li>• SSTB21SB 0001 in the amount of \$7,485,546 for Los Alamos Pinon ES.</li></ul> <p>Delegate authority to the PSCOC Chair to approve any changes to the resolutions and recertifications that may be required upon review by the State Board of Finance. As this was a subcommittee recommendation, a second was not needed and <b>the motion was unanimously approved.</b></p>	<p><b>APPROVED</b></p>
---	------------------------

**B. 2023 PSCOC Work Plan Timeline\***

Ms. Ramos presented the item and request to approve the 2023 PSCOC Work Plan Timeline. The item was tabled because the Council decided it would be best to approve a timeline after the 2022 Legislative Session.

<p><b>TABLED:</b> Mr. Guillen moved to table the Council approval to adopt the proposed 2023 PSCOC work plan timeline, (Scenario 1 -PSCOC and subcommittee meetings held on Wednesdays), with capital funding awards made throughout the calendar year. Schedule is subject to change as deemed necessary by the PSCOC. As there was no opposition, <b>the motion was unanimously approved.</b></p>	<p><b>TABLED</b></p>
---	----------------------

**C. Guidelines for Teachers and Students for the Statewide Education Network SEN\***

The guidelines were approved as presented. No significant discussion occurred.

<p><b>MOTION:</b> Mr. Guillen moved to table the Council approval of the Guidelines for Students and Teachers Home Connectivity including a Hybrid Model. The PSCOC shall review the guidelines periodically, and amend them as time and circumstances require. As there was no opposition, <b>the motion was unanimously approved.</b></p>	<p><b>APPROVED</b></p>
---	------------------------

## **XI. Informational**

### **A. Process Improvements Implementation**

The item was presented as an informational item. Staff reported to the Council that a phase two contract was put into place for the implementation of processes. Part of phase two would include interviewing the Council. The vendor will also work further with the PSFA staff.

### **B. Ben Lujan Maintenance Achievement Awards**

The item was not discussed or presented.

### **C. Project Status Report**

The item was not discussed or presented.

## **XII. Next PSCOC Meeting**

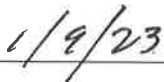
Proposed for January 9, 2023 – (tentative).

## **XIII. Adjourn**

There being no further business to come before the Council, Mr. Burciaga moved to adjourn the meeting. Mr. Robbins seconded, and the motion was unanimously approved. The meeting adjourned at 4:13 P.M.



Chair



Date

*\*Please Note: Italic in motions indicate amendments.*