

*State of New Mexico*  
**Public School Capital Outlay Council**

**PSCOC Members**

Joe Guillen, *NMSBA – Chair*  
Raúl Burciaga, *LCS – Vice Chair*  
David Abbey, *LFC*  
Gwen Perea Warniment, *LESC*  
Antonio Ortiz, *PED*  
Martin Romero, *CID*  
Stewart Ingham, *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 317 – May 24, 2023

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

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

Chair, Mr. Joe Guillen, called the meeting to order at 9:02 A.M.

#### a. Approval of Agenda\*

Chair Guillen asked if there were any changes to the agenda as presented; as there were no changes, Ms. Mariana Padilla moved to approve the agenda as presented. Mr. Raúl Burciaga seconded the motion and **the motion was unanimously approved.**

#### b. Correspondence

No Correspondence was received.

### II. Public Comment

Ms. Christine Medina, from Raton Public Schools, spoke on behalf of the district. Ms. Medina disclosed the district's short-term goals and the district's goal to right size their facilities. The Chair advised the district to work with the Public School Facilities Authority (PSFA). Mr. David Abbey asked about the district's bonding capacity and their plan for the bond election in November 2023. Ms. Medina responded that the district was fully bonded and would request a waiver in the future. Ms. Medina also said that the district is prioritizing their projects and all of the bond money would go to the district's facility projects.

### III. Finance

#### A. PSCOC Financial Plan

Ms. Martica Casias, PSFA Executive Director, presented the PSCOC Financial Plan, highlighting changes from the executive summary since the last meeting. Mr. Abbey asked if the FY23 awards were included in the Financial Plan. Ms. Casias responded that the uncommitted balance did not show any awards for FY23. Mr. Abbey commented that it was important to update more frequently because it would better help the Council anticipate and plan for upcoming awards. Mr. Abbey challenged staff to update the Financial Plan. Ms. Casias also mentioned that the \$100M for Safety and Security was not included in the Financial Plan and that the amounts would be received after July 2023. Ms. Casias also mentioned that the same method from Senate Bill 212 would be used to distribute these funds, and that it was a priority to PSFA to distribute the funds. Mr. Guillen agreed with Mr. Abbey on the importance of updating the Financial Plan more frequently. Ms. Padilla asked staff to explain the process for distribution of the Safety funds. Ms. Casias explained that an application was not needed for the award amount. Ms. Casias also discussed the process, which included gathering information from the district on the planned use for the funds, sending out an acceptance letter, distributing the funds, validating use, following up with Public Education Department (PED), and reporting back to the PSCOC.

## IV. Consent Agenda\*

Items on the Consent Agenda were not discussed; all Consent Agenda items were approved in a single motion. Ms. Casias mentioned there would be a technical correction to item IV.D Recertifications of SSTBs, for Los Alamos.

### A. April 17, 2023 PSCOC Meeting Minutes\*

Council approval of the April 17, 2023 PSCOC Meeting Minutes.

### B. 2022 BDCP Cat2 Awards (Network Equipment)\*

Council approval to make Office of Broadband Access and Expansion (OBAE) 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 schools/districts for a total of \$31,211.11 up to the amounts listed in column O of the award spreadsheet attached as Exhibit A.

### C. June Bond Sale Certification\*

Council approval for the adoption of the June 2023 certification and resolution to sell supplemental severance tax bonds in the amount of \$342,701,313.

### D. Recertification of SSTBs\*

Council approval for the adoption of the Resolution, Notification, and Certification and Reconciliation of unexpended bond proceeds as follows:

- SSTB18SD 0004 balance will increase in the amount of \$582,522 to be used for other PSCOC awarded projects.
- SSTB21SD 0001 in the amount of \$32,990,423 to be used for other PSCOC awarded projects.
- SSTB22SD 0001 in the amount of \$50,078,401 for the following PSCOC awarded projects.

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.

### E. Statewide Education Network Guidelines\*

Council approval to revise the Statewide Education Network (SEN) Guidelines from 99.99% reliability to 99.9%.

<b>MOTION:</b> Mr. Ortiz moved for Council approval of the consent agenda. Ms. Leach seconded the motion. As there was no opposition, the motion was unanimously approved.
--

<b>APPROVED</b>
-----------------

## V. Awards Cycle

### A. Pre-Applications Received

Ms. Alyce Ramos, PSFA Programs Manager, reviewed the Pre-Applications received from Springer, Melrose, and Socorro. Ms. Ramos also reviewed the timeline for applications/awards and potential waivers. Mr. Abbey challenged staff to work with the districts on strategizing other revenues for the local match. Mr. Guillen also commented that the awards would have to be prioritized if all of them required a waiver.

## VI. Out-of-Cycle Awards

### A. P22-003 Chamisa ES (Los Alamos) – Additional Funding Request\*

The Awards Subcommittee Chair, Dr. Gwen Perea Warniment, reviewed the motion. The Awards Subcommittee did not have a recommendation, but wanted to help the district prioritize their projects based on their bonding capacity. Ms. Casias reviewed the background for both projects (Chamisa ES/Pinon ES). Mr. Ryan Parks, PSFA Deputy Director added to the discussion that material cost increase was a big factor in the construction bid. The district spoke about the importance of moving both projects forward. The General Contractor, Jaynes, also was present to support the district

and PSFA’s statement about cost increase. The Council members were very concerned about the cost of the project and were interested in additional information that could identify different options or perspectives. The discussion also mentioned contingency costs, other challenges, and further negotiation. The Council also wanted information on cost savings if both projects were approved. Jaynes clarified that approving both projects would not necessarily save money, but avoid further cost increase in the future. The Council also questioned the participation of the County in the project. The Council decided that a Special Awards Subcommittee would be dedicated to these items.

<p><b>TABLED:</b> Mr. Guillen moved to Table the request for a waiver and cost increase on the Los Alamos project for P22-003 Chamisa Elementary School. <b>As there was no opposition, the motion was Tabled.</b></p>	<p><b>TABLED</b></p>
--	----------------------

**B. P22-005 Pinon ES (Los Alamos) – Additional Funding Request\***

The item was discussed with item VI.A. The Council decided to approve the cost increase for Pinon ES but did not approve the waiver.

<p><b>AMENDED MOTION:</b> Mr. Guillen moved to approve the motion for <i>Council approval to amend the current Standards-based award to Los Alamos Public Schools (LAPS) for Pinon ES to include Additional Construction Phase funding for an increase in the state match totaling \$1,834,930.</i> <b>As there was no opposition, the motion was approved as amended.</b></p>	<p><b>AMENDED APPROVED</b></p>
--	--------------------------------

**VII. Other Business**

**A. Office of Broadband Expansion (OBAE) – Request for Funding\***

The motion was reviewed by the Awards Subcommittee Chair, Dr. Warniment. Ms. Padilla was concerns about the timing and delays of the process. Ms. Casias noted that the funds should not transfer until the contract was signed. The motion was approved as presented. No further discussion from the Council occurred.

<p><b>MOTION:</b> Mr. Guillen moved for Council approval of \$8,365,475.61 to the Office of Broadband Access and Expansion (OBAE) for the Statewide Education Network (SEN) as specified in Exhibit B, contingent upon the execution of the contract with the highest-ranking offeror, and additional confirmation on the potential impact on PSFA’s audit. 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>
--	------------------------

**VIII. Informational**

**A. PED Funding Request for Connectivity Devices/IT Support**

The item was presented as an informational item. The item was not supported by the Awards Subcommittee. PED presented a presentation to the Council and their funding request of \$42M. The funds would be utilized by PED for Connectivity Devices and IT Support. The Council did not endorse the request and suggested the information be passed on to the Public School Capital Outlay Oversight Taskforce (PSCOOTF) for legislative consideration.

**B. Status of Project Closeout**

The item was not presented.

**C. 5% Local Match Reduction for Exemplary Maintenance; Potential Financial Impact Scenarios**

The item was not presented.

### D. Quarterly Maintenance Status Report

The item was not presented.

### E. SB212 Reporting

The item was not presented.

### F. Project Status Report

The item was not presented.

## IX. Next PSCOC Meeting

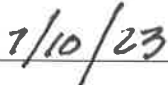
Proposed for July 5, 2023 – (tentative).

## X. Adjourn

There being no further business to come before the Council, Ms. Padilla moved to adjourn the meeting. Mr. Burciaga seconded, and **the motion was unanimously approved.** The meeting adjourned at 12:08 P.M.



Chair



Date

*Please Note: Italic in motions indicate amendments.  
\* Denotes Action Items on the Agenda*