

**MINUTES**  
**of the**  
**TWENTY-FIRST MEETING**  
**of the**  
**PUBLIC SCHOOL CAPITAL OUTLAY OVERSIGHT TASK FORCE**

**June 2, 2009**  
**Room 307, State Capitol**  
**Santa Fe**

The twenty-first meeting of the Public School Capital Outlay Oversight Task Force (PSCOOTF) was called to order by Representative Rick Miera, co-chair, at 10:10 a.m. on Tuesday, June 2, 2009, in Room 307 of the State Capitol in Santa Fe.

**Present**

Rep. Rick Miera, Co-Chair  
Sen. Cynthia Nava, Co-Chair  
Sen. Vernon D. Asbill  
Rep. Keith J. Gardner  
Cecilia Grimes  
Leonard Haskie  
Robbie Heyman  
Rep. Larry A. Larrañaga  
Sen. Lynda M. Lovejoy  
Kilino Marquez  
Rep. W. Ken Martinez  
Katherine B. Miller  
Dr. John Mondragon  
Don Moya for Veronica Garcia  
Bud Mulcock  
Sen. Sander Rue  
Sen. John Arthur Smith

**Absent**

Sen. Timothy Z. Jennings  
Anna Lamberson  
Rep. Ben Lujan  
Elizabeth Marrufo  
Mike Phipps  
Rep. Henry Kiki Saavedra  
Ernesto Valdez

**Staff**

Sharon Ball, Legislative Council Service (LCS)  
Robert Gorrell, Public School Facilities Authority (PSFA)  
Scott Hughes, Department of Finance and Administration (DFA)  
Frances Maestas, Legislative Education Study Committee (LESC)  
Antonio Ortiz, Public Education Department (PED)  
Aldis Philipbar, LCS  
Paula Tackett, LCS

**Guests**

The guest list is in the original meeting file.

**Tuesday, June 2**

## **Public School Capital Outlay Council (PSCOC)/PSFA Annual Report**

Mr. Gorrell, director, PSFA; Mark Williams, manager, Process Development, Strategic Planning and Communications, PSFA; and Jeff Eaton, operations manager, PSFA, reviewed the PSCOC/PSFA annual report with the task force. Mr. Eaton discussed the PSCOC awards history graph, noting the rise in the amount of awards up until 2005 due to a dramatic increase in severance taxes from oil and gas revenues. Mr. Eaton also discussed a pie chart showing the relative costs of the PSFA. He said that the PSFA's largest line-item costs are the specialized staff members who are based throughout the state in the school districts in which they serve. However, he said that the PSFA has remained below the five percent statutory limit. He noted that there is a lot of planning going on before school that is creating a more efficient process. He also said that the PSFA has not had significant audit findings since its inception, thanks to the staff. Mr. Gorrell added that the PSFA has had very few disputes in general and that it tries to have transparency and open communication. Mr. Williams said that 83 districts currently have master plans, 87 districts are using the Facilities Information Management System (FIMS), and it takes an average of nine days to process payables. He said that the PSFA's Maintenance Division has awarded 27 maintenance achievement awards to individuals and school districts that demonstrated commitment and success in school facility maintenance. Mr. Williams said that New Mexico has used the Facilities Assessment Database (FAD) for the past five years to quantify and rank public school facility needs in all school districts. He also said that better school facilities improve learning, and he pointed to the Peñasco School District as an example of a small school district using FIMS successfully.

In response to a questions from the task force, Mr. Gorrell clarified the difference between the Facility Condition Index (FCI) and the New Mexico Condition Index (NMCI). He said that the FCI is blind to the purpose of the school space whereas NMCI includes the purpose and the condition of the space. The task force also asked for clarification for criteria for school renovations and additions. There was also discussion regarding the relationship between federal stimulus money and educational funding for school construction. Mr. Gorrell noted that there is a lot of confusion surrounding the federal stimulus money, but the U.S. House of Representatives appears to have approved approximately \$46 million that would be allocated statewide based upon the percent of Title I funds received by districts. In response to a task force question, Mr. Moya stated that the U.S. Senate has yet to consider the bill.

There was also discussion as to how the federal stimulus money will affect the *Zuni* lawsuit and impact aid districts, and it was suggested that former Governor Toney Anaya be invited to give a presentation to the task force and discuss issues related to the federal stimulus money. In response to a question about what happens when a school district fails to pass a bond, Ms. Tackett, LCS director and PSCOC vice chair, said that the district does not come off the queue, but it does not receive funding, either. She added that, as yet, the PSCOC has not asked the court to declare a district "recalcitrant", thereby having a property tax imposed upon it by the courts to provide funding for the district's match.

Task force members also requested data on the amount of time it takes between a

district's submitting a plan to the PSFA and receiving funding, as well as data on district-level administrative staff turnover.

### **Discussion of Work Plan, Items for Future Agendas and Other Organizational Business**

Ms. Ball, LCS researcher, reviewed the proposed dates of future meetings with the task force and said that the New Mexico Legislative Council tries to avoid conflicts when selecting dates. Representative Miera suggested adding August 25 to the schedule as a precaution and asked if anything needs to be prepared for a potential special legislative session. Ms. Tackett replied that the task force may want to look at how qualified school construction bonds will be issued. The task force requested that the rural education tax credit and alternatives to educational specifications be added to the work plan. A chart from the PSFA on the price per square foot for new construction by region was requested. On a motion made, seconded and unanimously approved, the work plan was adopted.

Ms. Ball directed the task force's attention to the summary of bills endorsed by the task force. She noted that those included are the ones passed by the legislature and signed into law by the governor.

On a motion made, seconded and unanimously approved, the task force confirmed the New Mexico Legislative Council's appointments of Representative Miera and Senator Nava to be the 2009 co-chairs of the task force. The task force also welcomed two new members, Representative Gardner and Senator Rue.

There being no further business, the task force adjourned at 12:15 p.m.