

**PUBLIC SCHOOL CAPITAL OUTLAY COUNCIL  
MINUTES  
NOVEMBER 7, 2013  
STATE CAPITOL BUILDING, ROOM 317  
SANTA FE, NEW MEXICO**

**Members Present:** Mr. David Abbey, LFC      Mr. Gene Gant, PEC  
Mr. Joe Guillen, NMSBA      Mr. Raul Burciaga, LCS  
Mr. Paul Aguilar, PED      Ms. Frances Maestas, LESC  
Mr. Tom Clifford, DFA      Mr. Michael Heitz, Office of the Governor

**Designees:** Ms. Mary Kay Root represented the Regulations and Licensing Department in the absence of Mr. Dee Dennis.

**1. Call to Order**

**Mr. David Abbey, Chair**

**a. Approval of Agenda**

Clerk called roll noting that Ms. Mary Kay Root would represent the Regulation Licensing Department in the absence of Mr. Dee Dennis.

**MOTION:** Mr. Joe Guillen moved for approval of the agenda as presented. Mr. Gene Gant seconded. Motion carried.

**b. Correspondence**

Mr. Gorrell referred the Council to a letter of correspondence addressed to Superintendent Randall Earwood from Mr. John Brenna, regarding their acceptance of the Application for Land for Recreation or Public Purposes. The letter indicates that the application includes approximately 75 acres for use as an elementary school with parking, playground, outdoor education/nature trails, and ancillary facilities. This property and facilities will be leased from the Bureau of Land Management (BLM) for the Socorro School District and BLM will continue to work with the district to update the development and improvement plan.

This item will be discussed at a later portion of this meeting.

**2. Approval of Minutes (September 30, 2013)**

Upon review by the Council, there were changes to the minutes. These changes are made and are reflected in the September 30<sup>th</sup> final approval of the minutes. Mr. Gant moved for adoption of the September 30, 2013 PSCOC meeting subject to edits and technical corrections. Mr. Guillen seconded. There being no objection the motion carried.

**3. District Presentations**

**• Capitan—P13-003-Capitan HS & Capitan ES School Update**

Representing the district were Ms. Shirley Crawford, District Superintendent, the President, Vice-President and School Board Members.

Ms. Crawford gave a report summarizing the Capitan High School renovation project. She noted that the Facility Master Plan has been approved. Ms. Crawford stated that her

estimation of renovating the high school would be approximately \$5.9 million and felt that the district would have 10% participation and approximately \$500,000 from an advance from the PSCOC. Ms. Crawford informed the Council that the district passed a bond in the amount of \$5.0 million. Before the bond passed, the district hired Dekker/Perich/Sabatini for the preliminary work and drawings in order to partner with the district to provide information to the public surrounding the bond issue. The Council advanced the district \$500,000 for early work and the advance has been repaid. The district had an early study done as well as basic drawings. The district also had a basic drainage study completed in order to pass the bond. The district determined that using the Construction Manager at Risk (CMAR) would be an advantage. The CMAR was awarded to Bradbury-Stamm. Upon working with the district, Bradbury-Stamm informed the district that they need an additional roof study and engineering survey in order to provide an appropriate quote for their services which the board approved. The cost of the work continued to rise as the district learned more about the building and the extensive work that needed to be done.

The first cost estimate was \$5.3 million and the second estimate was \$5.4 million. However, a floor slope issue was uncovered. It was determined that this is due to the drainage swale along Highway 380 being above the elevation of the high school floors. Because of this, water migrates under the building. It is recommended that all floors be removed and a vapor barrier along the wall. The swale must be addressed in conjunction with the State Highway Department. The current estimate is \$7.2 million. Upon discussions with PSFA staff determined that the current estimate is 82%-83% of the cost of a new building. Because of this, PSFA has made the recommendation constructing a new building would be the more appropriate route to take for the greatest long-term benefit to the district. A town meeting was held to present all information to voters. Though there are many differing opinions, the opinion of most who commented was that there is a desire to do what is best for the students but that acquiring additional funding would be difficult. While it is agreed that a new high school is the most appropriate route, acquiring the necessary funding is difficult. The legislative session and the status of waiver qualifications will be a major factor for the Capitan Schools concerning the next steps in this project.

Ms. Crawford continued stating that the board has voted to halt further decisions until other funding avenues are pursued. To support this, the board has been meeting with legislators in an attempt to get support for legislation that would change the waiver requirements in Section 9 of Section 22-24-5 NMSA 1978 – Public School Capital Outlay projects from: 70% to 50% of students eligible for free/reduced lunch; Residential property tax rate of \$7.00/1000 to \$5.00/1000. The district's current tax rate is \$4.66/1000 and they believe their voters would work with the district to raise the rate to \$5.00/1000 if they were to be able to qualify for additional state assistance with our construction projects. The high school students are going to be moved back into the high school and no renovations will be done prior to summer of 2015. The old high school could be used as an elementary school and be renovated in the future. Ms. Crawford completed her presentation stating that the legislative session and the status of the waiver qualifications will be a major factor in any decision by the board concerning next steps in this project.

Mr. Ovidiu Viorica, Regional Manager stated that the older structures will continue to degrade, areas like the kitchen will need emergency repairs sooner than later and the district is trying to plan carefully. The campus is very flat but new construction can resolve

the issues. Ms. Crawford stated that there are water and drainage issues but have not been thoroughly investigated.

Mr. Guillen stated that the Awards Subcommittee discussed the effect any proposed legislation would have on other districts to get a good solid base of support. Once that is opened up it is subject to amendment by other districts. The district will have a work session to see if other options are available.

With so many unanswered questions, the Council recommended that the district work hard with highway engineers and have them meet with DOT engineers. The staff will work with the district financing staff to look for other options. Staff will request that this item is included their upcoming meeting agenda.

*This report is for informational purposes only. No action is required by the Council.*

#### **4. 2014-2015 Standards-Based Award Cycle**

##### **a. Draft 2014-2015 NMCI Rankings**

Mr. Chris Aguilar, PSFA staff, presented this item to the Council noting that both subcommittees have reviewed the 2014-2015 NMCI Rankings and recommend approval.

**MOTION:** Mr. Clifford moved for Council approval of the Administration, Maintenance & Standards Subcommittee recommendation to release the Draft NMCI Rankings, including charter schools that have been reassessed based on programmatic needs after completing at least one renewal period, for the 2014-2015 Standards-Based Award cycle based on criteria and weightings previously adopted by the Council. Districts are encouraged to review and provide feedback to the PSFA based on technical corrections to the data in order for a Preliminary NMCI Ranking to be released by the PSFA in January and subsequent release of the application which is tentatively scheduled for early March 2014. As this is a subcommittee recommendation a second is not required. There being no objection the motion carried.

##### **b. Survey of Top 30 Schools**

Mr. Gorrell presented this item referring the Council to the draft survey letter that is available in their meeting notebooks/ebooks. The survey would assist staff in determining why districts do not apply for standards-based capital outlay grants for their highest ranked schools.

The Council directed staff to distribute the letter as well as the draft 2014-2015 NMCI Rankings on to the 30 highest ranked schools on Monday, November 11, 2013.

**MOTION:** Mr. Clifford moved that Council directs staff to send out the survey along with the 2014-2015 Draft NMCI Rankings to the 30 highest ranked schools. There being no objection the motion carried.

##### **c. Proposed Workplan/Timeline**

Mr. Berry presented the 2014-2015 Workplan/Timeline to the Council noting that the workplan was reviewed by both subcommittees. He noted that waiver applications need to

be reviewed and other district issues for recommendation for master plan assistance awards.

*This report is for informational purposes only. No action is required by the Council.*

## 5. Subcommittee Reports

### a. Awards Subcommittee Report

- **Financial Plan**

Summary of the PSCOC Financial Plan changes since 9/30/13 Projects Funding Adjustments as follows:

**Los Lunas P11-015 Los Lunas HS-Phase 2 Construction**

Net Award: \$24,234,815

Ms. Cano presented the financial plan to the Council referring them to their meeting notebooks/e-books. She briefed the Council on the sources and uses noting that there have been no significant changes from the last PSCOC meeting.

Mr. Cano briefed the Council on the FY14 Phase 2 Emergency Funding, noting that the certified adjustments total \$1,574,117. These awards total what the Council has awarded since the beginning of the fiscal year and acknowledgments for the certification adjustments that show amounts previously certified and actual amounts.

It was noted that the Zuni district may come forward with the final payment of their two advances in accordance to the approved repayment schedule. An invoice will be sent to the district. Staff is awaiting the submission of a repayment schedule from the Jemez Mountain and Fort Sumner districts.

She also noted that the Master Plan Awards have been deferred to the December 2013 PSCOC meeting.

Ms. Cano, PSFA staff, noted there will be changes and adjustments to the December 2013 financial plan requesting that footnotes be inserted to the plan.

The Council thanked Ms. Cano for the financial plan report.

- **Additional Funding/Emergency Funding/Award Language Requests**

- **Chama—P06-007 Tierra Amarilla MS/Escalante HS - Additional Funding**

Mr. Pat McMurray, PSFA staff, presented this request noting that there were unforeseen conditions during the performance of remedial work as identified on the Escalante /TA Elementary Action Plan, dated March 29, 2013, that has resulted in a budget shortfall for this project. Additional funds are being requested to complete unforeseen work and to complete remaining identified tasks. The items which remain to be completed are as follows: fire alarm panel (provide UPS & re-key pull stations), unforeseen damages to gym floor refinishing, unforeseen kitchen floor sink damages, and unforeseen rodent abatement. Mr. McMurray stated that abatement and floor as well as gym for areas affected by roof leaks are still being investigated and the project is on scheduled and near completion.

Mr. Abbey noted that at a prior meeting, the Council agreed that the district would not be awarded funding unless they attend the PSCOC meeting. Mr. Aguilar stated

that he was supposed to meet with the Superintendent but had prior commitments but he will meet with him next week. The district insisted the entire floor needs to be sealed but council cannot fund this as it is a maintenance issue.

Mr. Gorrell stated the contract has been signed for completion of the project. He explained these items are part of the scope of the work. However, the roof is not complete. The district will come back to council for related work to the project. Mr. Gorrell noted that there are electrical issues at the school that the Council may have to spend money for evaluation this issue. Mr. McMurray noted that there is a November deadline due to weather.

Mr. Aguilar stated that he is committed to this project. All work has been done and he plans to visit the district. PSFA staff recommends that the Council approve the additional state funding request totaling \$ 67,189 (100%) as requested to complete the project and will work with the district on the other issues. The Council requests that the district present at their next scheduled PSCOC meeting.

**MOTION:** Mr. Guillen moved for Council approval of the Awards Subcommittee recommendation to amend the 2005-2006 standards-based award to the Chama Valley Independent Schools for Escalante High School/Tierra Amarilla Middle School to include additional construction funding to complete the remedial work in an amount up to \$67,189 (100%). Final additional funding amounts will be determined upon review of maintenance-related items by the Public Education Department with the Chama Valley School District and the Public School Facilities Authority.

As this is a subcommittee recommendation a second is not required. The motion passed by a majority vote with Mr. Abbey voting in the negative.

➤ **Chama—P07-003 Tierra Amarilla ES – Additional Funding**

Mr. McMurray presented this item to the Council again noting that unforeseen conditions during the performance of remedial work as identified on the Escalante / TA Elementary Action Plan, dated March 29, 2013, have resulted in a budget shortfall for this project. Additional funds are being requested to complete unforeseen work and to complete remaining identified tasks. The items which remain to be completed are as follows: Electrical Issues (replace time clock), Boiler Issues / excessive noise (assessment & remedial tasks), Gym Drainage (unforeseen concrete / drain work), Water Pressure (assessment & remedial tasks)

Mr. McMurray noted that contractor still has other issues to address and recommends not going beyond the scope of the project. Work will be completed before the end of the year as there are water issues. Mr. Abbey again noted that these are maintenance issues. Mr. Gorrell stated that contractor has been responsive and claims the issues are part of the design and there are circular conversations. He also stated that the district intends to give Yearout Mechanical training. Mr. Gorrell noted that the boiler has been fixed but there will be additional work. Mr. Gorrell stated that some of the items were on the districts list for funding and there was no clear solution from the Council.

In regard to the maintenance issues, Mr. Les Martinez, PSFA staff, noted that the maintenance is poor and staff is working with the district to correct the problems. Mr. Aguilar will address these issue at his meeting with the district. Mr. Abbey is not comfortable in approving this project until the district has had a chance to present to the Council regarding the maintenance issues.

**MOTION:** Mr. Guillen moved for Council approval of the Awards Subcommittee recommendation to amend the 2006-2007 standards-based award to the Chama Valley Independent Schools for Tierra Amarilla Elementary School to include additional construction funding to complete remedial work in the amount of \$161,743 (100%).

As this is a subcommittee recommendation a second is not required. The motion passed by a majority vote with Mr. Gant and Mr. Abbey voting in the negative.

➤ **Deming—P 14-008 Deming Intermediate School - Award Language (Capacity)**  
Ms. Martica Casias, PSFA staff presented this item to the Council. Ms. HarvieLee Moore joined the meeting via webcast. Ms. Moore described recent events in the district and their impact on their 2013-2014 award language regarding the award capacity. The Council was referred to the memo dated October 18, 2013. The memo states the following:

- As of the 2013-14 school year, all Deming Public School 6<sup>th</sup> graders attend Deming Intermediate School.
- There are approximately 427 6<sup>th</sup> graders in the Deming Public School District, 96 of which are from Columbus (based on the 2012-13 enrollment numbers for 5<sup>th</sup> grade).
- The District received NM PED approval to re-organize Columbus Elementary School into a pre-K-5<sup>th</sup> elementary school and move the Columbus 6<sup>th</sup> graders to Deming Intermediate School.
- The NM PEC denied the Columbus Community Charter School's application to open a charter school in the Village that could potentially be open to 6<sup>th</sup> graders. As a result, all Columbus area 6<sup>th</sup> graders attending public school will attend Deming Intermediate School.
- The 2013-14 PSCOC award language for Deming Intermediate School replacement allowed a core capacity of 450 and classroom capacity of 350. Based on last year's enrollment numbers, there are approximately 427 6<sup>th</sup> graders in the Deming Public School District. The 427 enrollment figure is 77 students over the 350 allowed for classrooms.

The Award Subcommittee has reviewed this request and recommends approval.

**MOTION:** Mr. Guillen moved for Council approval of the Awards Subcommittee recommendation to amend the previous 2013-2014 award to the Deming Public Schools for Deming Intermediate School to increase design capacity from classrooms for 350 students to 450 students, grade 6. As this is a subcommittee

recommendation a second is not required. There being no objection the motion carried.

➤ **Espanola—R13-013 Espanola Valley HS Roof – Additional Funding**

Mr. Rico Volpato, PSFA staff presented this item to the Council noting that the results from the 700 wing roof sampling showed the presence of asbestos in the roofing materials. Asbestos remediation was required and performed. This additional funding request funds the required abatement to complete this project.

PSFA staff recommends that the PSCOC approve the state funding request totaling \$21,465 (63%) as requested to complete the project to adequacy. The District has in place their requested additional funding amount match totaling \$12,607 (37%)

The Awards Subcommittee has reviewed this request and recommends approval.

**MOTION:** Mr. Guillen moved for Council approval of the Awards Subcommittee recommendation to amend the 2012-2013 roof award to the Espanola Public Schools for Española High School based on actual cost to complete the work, with an increase in the state share amount of \$21,465 (63%), contingent upon an additional local share of \$12,607 (37%). As this is a subcommittee recommendation a second is not required. There being no objection, motion carried.

➤ **Gallup – Washington ES (P11-005) – Award Language (Capacity), Jefferson ES (P11-008) – Award Language (Capacity) & Discussion of Closure of Juan de Onate ES & Roosevelt ES**

Mr. Leonard Haskie represented the district. Mr. Haskie stated that the district wants to begin the design process immediately so they can hire a design expert. There was a question from PSFA regarding consolidation, however, the language will provide for better maintenance. There is also an issue with drainage and other issues that the district wants to assure that they are moving forward in the right direction. PSFA concurs with the Design capacity recommendation of 450 students for Washington ES.

Mr. Martinez reported that the maintenance assessment is 45% on FMAR score. PSFA provides models to districts and provide feedback reports on how they run their maintenance. Mr. Haskie stated that changes recommended by PSFA have been met and feel that their district has improved. The district intends to hire an individual for preventive maintenance and will maintain the approved square footage. Mr. Haskie informed the Council that there have been 2 audits on their inventory with no findings. The vehicles have been cut in half and are more controlled. Mr. Aguilar stated that Secretary Hanna Skandera has not approved consolidation but will approve soon.

Ms. Casias noted that the Awards Subcommittee and staff have reviewed this request and are in support of the district's request.

**MOTION:** Mr. Guillen moved for Council approval of the Awards Subcommittee recommendation to amend the previous 2010-2011 awards to the Gallup-McKinley County Schools to increase design capacity at Washington ES from 204 students to 450 students, grades K-5, and at Jefferson ES from 282 students to 425 students, grades K-5, contingent upon approval of the district request to close Juan de Oñate ES and Roosevelt ES by the Secretary of the Public Education Department. There being no objection the motion carried.

➤ **NMSD/NMSBVI Capital Outlay Funding Requests**

Staff presented a capital funding assistance interface with the Council that included a PSCOC calendar and HED calendar as follows:

- The Special Schools shall seek direct legislative appropriations, including GO Bonds and STBs, through HED and the Legislature to accommodate the local share of the total estimated project cost.
- May -The Special Schools submit all facilities ranked <sup>5</sup> within the application range the PSCOC has advertised, through the PSCOC Applications process. In addition, the Special Schools submit all other projects not in the wNMCI ranked list for validation by the PSCOC prior to presenting prioritized funding requests to the HED in June.
- June -The Special Schools submit the PSCOC applications and validation requests defining local funding needs, in HED format, to HED.
- July -The Special Schools advise HED as to PSCOC Awards and Validations to enter the process for capital outlay funding.

Staff reported that the NM School for the Deaf and the NM School for the Blind and Visually Impaired are moving forward with their projects and working with a legislative committee regarding legislative funding. The project will be revisited by the Public School Capital Outlay Oversight Task Force at its November meeting.

**b. Administration, Maintenance & Standards Subcommittee Report**

➤ **PSFA FY13 Audit Update**

Mr. Jeff Eaton, PSFA staff, presented this item to the Council referring them to a letter from Herman Chavez, Ricci, Porch & Company, that was made available in their meeting notebooks/e-book. He briefed the Council on the findings and the progress of the audit. Staff will meet with the auditors on the week of November 18, 2013 to wrap up miscellaneous pending item and assist staff with MD&A. An exit conference is anticipated the week of December 2, 2013.

➤ **PSCOOTF Bill Drafts (Building Systems, Waiver/Share Reduction, Ed Tech)**

Ms. Sharon Ball, Legislative Council Services, gave an update on the changes of the draft legislation. Staff provides draft the legislation to the PSCOOTF. The staff does not advocate legislation but only provide factual analysis, which pertains to the Council, to the legislature.

➤ **Standardized Lease Development Status Report**

Mr. Gorrell informed the Council that a meeting was held to review the draft charter school lease and lease purchase documents, including amendments with charter



school stakeholders. PSFA coordinated the meeting with their contracted attorney Ken Hunt conducting the review. A condensed summary is made available to the Council in the meeting notebook/e-book.

Mr. Clifford suggests that a special subcommittee be created to for discussion of this item. Mr. Clifford will chair the subcommittee, to include Mr. Burciaga and other interested members. The subcommittee will then report their finding to the full Council at its June 2014 PSCOC meeting. Mr. Gorrell noted that charters should have their attorneys present when discussion is taking place. Mr. Clifford noted that the Council needs to a standardized set of terms and conditions and take comments and incorporate into document. The DFA and LCS staff will be included in developing the terms. Mr. Guillen supports the standardized lease and voiced interest in involvement in the special subcommittee.

Mr. Gorrell informed the Council that the standardized lease is included in the PSCOC/PSFA timeline with the intent to complete it by March, adopt in April and submit for rulemaking in May. He requested permission from the Council to allow staff to incorporate all comments and input into the document then present it to the subcommittee. The Standardized Lease awards will not be granted until Spring 2014.

Upon further discussion Council granted permission to allow staff to move forward as deemed necessary.

➤ **Santa Fe Indian School Funding Discussion**

Mr. Gary Lujan represented the Santa Fe Indian School stating that the school is interested in discussions regarding looking into the PSCOC process. Internally, the school recognizes that there may be parameters that need to be investigated as part of moving forward in discussion. In respect to House Memorials that have passed and prerequisites within, the school would like to continue discussion moving into Spring 2014.

The school is searching for ways to have access to GO Bonds and Capital Outlay. The school representatives would like to discuss any obstacle that would get in the way of funding the school. The school would like to be included in the capital outlay process and the legislature to accommodate the Indian School.

At their last Awards Subcommittee meeting, the subcommittee requested that the school compile a list of issues and how they could be addressed and then presented to the full Council. It was noted that the school is a federally funded grant school and funding is based on student count. Mr. Lujan stated that part of the executive order of 2013 have to go through consultation regarding financial accountability and the process has been complete. The school is now waiting for an IDA to engage the process. The school has significant designs with a completion of 75% but without the IAD in place, the contract cannot move forward. The school is within their scope of project completion. The school has \$700,000 in funds appropriated by the state.

The Council welcomed Representative Luciano “Lucky” Varela. Mr. Varela stated that there were obstacles and would like school to come before the legislature to accommodate the school. Mr. Abbey noted that the wellness center is complete and wonders how state appropriations assisted in this project. Representative Lujan stated that total of project is \$3 million and explained there is school management responsibility and focus on education. He stated that he has not had a chance to confer with the Speaker of the House, but will before 2014 legislative session. Mr. Clifford wants an analysis of identifying issues and how they could be addressed. Mr. Abbey stated that the school has a good advocate in Representative Varela and recommends going before the task force to move their project forward.

## **6. Director’s Report**

### **a. Project Status Reports**

#### ➤ **PSCOC Project Status Report**

Mr. Gorrell presented the Project Status Report to the Council, noting that the report was reviewed by the Administration, Maintenance & Standards Subcommittee. He highlighted the various projects in the report noting that projects are moving forward with very few projects that are behind schedule. The report will be modified as projects move forward.

*This report is for informational purposes only. No action is required by the Council.*

#### ➤ **Master Plan Project Status Report**

Mr. Gorrell presented the Master Plan Project Report to the Council noting that the report was reviewed by the Administration, Maintenance & Standards Subcommittee.

*This report is for informational purposes only. No action is required by the Council.*

#### ➤ **Lease Assistance Report**

Mr. Gorrell presented the Lease Assistance Payment Report to the Council noting that the report was reviewed by the Administration, Maintenance & Standards Subcommittee.

*This report is for informational purposes only. No action is required by the Council.*

The Council requested that staff spend time on reviewing the status reports and possibly develop other methods of formatting.

### **b. Next PSCOC Meeting—Proposed for December 3, 2013**

Upon discussion, the Council agreed to hold their next PSCOC meeting on December 3, 2013.

## **7. Public Comments**

Mr. Gorrell and Mr. Abbey announce that Mr. Tim Berry is leaving the PSFA and will be working in California. Mr. Berry was given a letter of appreciation from PSCOC and PSFA. The letter thanks Mr. Berry for his 28 years of service to New Mexico. The Council members are especially thankful for the tremendous work he has done as Deputy Director of the New Mexico Public School Facilities Authority. The letter also reads that Mr. Berry has helped to

transform the capital outlay process and has assisted school districts by improving their school facilities.

The letter also noted that Mr. Berry has been with PSFA since its inception as the Deficiencies Correction Unit. Many of his ideas, and those he carried forward from the districts, have been incorporated into the NM Standards-Based Capital Outlay Program.

Mr. Berry's dedication, professionalism and knowledge over the last twelve years resulted in the most successful government program ever in New Mexico. His co-workers, district customers, and state agencies throughout the state have expressed their appreciation of him, his expertise, and the time he dedicated to the PSFA.

Mr. Berry's hard work will long benefit the children and families of New Mexico.

**8. Consideration for Approval to Adjourn to Executive Session**

Mr. Guillen moved for Council approval to adjourn to Executive Session pursuant to the Open Meetings Act NMSA 1978, § 10-15-1 (H) (7) for the purpose of discussing "pending litigation" of a PSCOC-funded project.

**Roll Call—Present:**

Mr. David Abbey	Mr. Gene Gant	Mr. Micheal Heitz
Mr. Joe Guillen	Mr. Raul Burciaga	Mr. Raul Burciaga
Mr. Paul Aguilar	Ms. Frances Maestas	Mr. Tom Clifford

**9. Reconvene to Open Session (Roll Call)**

Council approval to reconvene from Executive Session pursuant to the Open Meetings Act NMSA 1978, § 10-15-1 (H) (7) for the stated purpose of discussing "pending litigation" of a PSCOC-funded project. Only the above-referenced items were discussed and no votes were taken.

**Roll Call-Present**

Mr. David Abbey	Mr. Gene Gant
Mr. Joe Guillen	Mr. Micheal Heitz
Mr. Tom Clifford	

**10. Statement of Closure**

Mr. Guillen moved for Council approval of the settlement agreement between the various parties for the roof failure event at Cleveland High School (PSCOC Project P06-027). The PSFA share of the agreement shall be applied to the total expenditures under the Memorandum of Understanding for the project. There being no objection the motion carried.

**Adjourn**

There being no further action to come before the Council, the meeting adjourned at 12:45 PM.

David Abbey Chair  
12/3/13 Date