

New Mexico Land Grant Council (NMLGC)  
June 8, 2020 – 10:00am  
Virtual Meeting  
Zoom ID: 988 5202 7832

**Minutes – Final**  
**Special Council Meeting**

**1. Call to Order - Roll Call**

Chairman Juan Sánchez called the meeting to order at 10:09 am. Roll call of the Council members: Andrea Padilla, Leonard Martínez, Rebecca Correa Skartwed, Steve Polaco, and Juan Sánchez were present.

**2. Introduction of Guests**

Juan Sánchez (NMLGC); Rebecca Correa Skartwed (NMLGC); Andrea Padilla (NMLGC); Leonard T. Martinez (NMLGC); Steve Polaco (NMLGC); Arturo Archuleta (NMLGC/LGSP); Jacobo Baca (NMLGC/LGSP); Venessa Chávez (NMLGC/LGSP); Jeanette Gallegos (Department of Finance and Administration); Cristina Martinez (Department of Finance and Administration); Novela Salazar (Office of the New Mexico Attorney General); Carmen Morin (Department of Finance and Administration, Local Government Division).

**3. Approval of Agenda**

Councilor Leonard Martínez made a motion to approve the revised agenda; Councilor Rebecca Correa-Skartwed seconded the motion.

Roll call vote: Councilor Padilla - aye  
Councilor Martínez- aye  
Councilor Correa-Skartwed - aye  
Councilor Polaco - aye  
Chairman Sánchez – aye

The motion was passed.

**4. Approval of Meeting Minutes from Regular Council Meeting of May 21, 2020**

Councilor Steve Polaco made a motion to approve the meeting minutes of the May 21, 2020 Council meeting; Councilor Andrea Padilla seconded the motion.

Roll call vote: Councilor Padilla - aye  
Councilor Martínez - aye  
Councilor Correa-Skartwed- aye  
Councilor Polaco - aye  
Chairman Sánchez – aye

The motion was passed.

**5. Discussion and Possible Action on Copy Machine Purchase**

Mr. Archuleta discussed quotes for copy machines. The Department of Finance and Administration (DFA) determined that because the purchase is over \$5,000 is a capital purchase.

Staff solicited and received quotes from four different vendors; DFA recommended that the Council use monies managed by DFA rather than those that are part of the UNM contract. Three detailed quotes were presented from vendors that are the approved vendor list. Vendors contacted offer UNM better rates than they offer the State of New Mexico. The Council seeks an upgrade from the current copier, which outputs 30 pages per minute (ppm). All quotes, whether for lease or purchase, do not include service agreements, which are paid monthly apart from both purchase and lease cost. (*A detailed comparison of copier machine quotes is provided in the meeting packet, p. 14*). Ricoh's purchase cost under State pricing was \$7,300, \$178 per month lease (30ppm); Xerox quoted \$6,495 purchase price and \$133 per month lease under State pricing, \$7,255 purchase price and \$154.59 per month lease (45ppm); Pacific Office Automation (POA) provided a lease quote of \$163.39 per month (UNM lease quote, 35ppm); and Document Solutions Incorporated (DSI) quoted \$12,120.26 State pricing / UNM \$8,424.70 for purchase, \$268.52 State/\$186.19 UNM for lease. Mr. Archuleta asked if DFA would allow the purchase of the copier at the UNM rate rather than under the state purchasing agreement. Jeanette Gallegos (DFA) responded that she did not know but believed it was allowable but up to the vendor.

Mr. Archuleta reiterated that maintenance and service agreements are in both purchase and lease. This covers equipment and ink, but not paper. The lease rate is determined by the number of copies made per month; this number of copies is automatically sent to leaser. In a lease, there is a higher cost over time, but at the end of lease, the copier is replaced and you do not have to worry about disposal. Vendors recommend a 5-year lease; some leased machines are 10-12 years old. The current copying machine in the LGSP office is 10 years old; no more parts are made and the service technician cannibalizes older machines for parts to repair. Current costs are \$2,500 annually in maintenance & service and even in a lease, there would remain rental and service costs. In FY 2021 budget, we would need to include costs of rental in budget and there is some uncertainty with special session. If the Council purchases the machine, it owns it outright and only needs to pay for service and maintenance. The Council currently uses Sharp copier, which is considered a tier 1 copier in terms of quality. Ricoh, Xerox and Konica Minolta copiers are tier 1; both DSI and POA sell and service Konica Minolta copiers. DSI is locally owned and higher priced, but promise better service and budgeting assistance. Konica Minolta copiers are top of the line. Both Ricoh and Xerox offer technicians either close to or on campus and service and supplies will be close at hand. POA provided a purchase quote but Council staff was unable to contact for more information. Another factor to consider is that the purchase needs to be completed and goods delivered by June 30, 2020. DSI advised a 2 week turn around for delivery; Ricoh stated it would be 2-4 weeks out and the machine might not come until or after July 1, whereafter DFA would refuse delivery after. Xerox stated it would take 2-3 weeks for delivery, the sooner the order, the better the chance of delivery before June 30.

There are ~\$14,000 remaining in the Council DFA managed budget that can be spent on the copier; these monies were budgeted for in-state and out-of-state travel and were not spent due to the COVID outbreak. Ms. Gallegos stated that the Council does not need to go with the lowest quote and can consider other factors when choosing a copier. Councilor Correa Skartwed opined that the Council should purchase rather than lease a copier; Councilor Padilla agreed and added that she preferred going with a local company to help the local and state economy. Councilor Polaco asked if the lease price was set or if it adjusted yearly and if there were rebates or warranty. Mr. Archuleta responded that leases were typically 60 months and were adjusted

thereafter. They contain a clause where from State Purchasing that states the contract is subject to appropriation by the legislature, meaning the Council would not be on the hook if there was a budget cut. With a MSRP of ~\$20,000, and negotiated State and UNM rates much cheaper, there is unlikely to be rebates. All machines do come with a warranty that covers in wear and tear. The maintenance and service agreement cover repairs, regardless of cost. Councilor Correa-Skartwed added that a purchase was important as the FY 2021 budget is uncertain and the current machine is nearing the end of its life. Councilor Martínez agreed, as did Chairman Sánchez.

DSI guarantees delivery and installation by June 30<sup>th</sup>; Xerox said they could likely complete the order and installation by June 30<sup>th</sup>, but the order needed to be completed as soon as possible. Ms. Gallegos recommended that the Council chooses a particular vendor so that DFA can issue a purchase order; if there is a change in vendor, a new p.o. needs to be issued, causing a delay. Mr. Archuleta asked if the Council can authorize a contingency; Ms. Gallegos responded that they could but it needed to be very specific stated in the meeting minutes. Mr. Archuleta added that the costs might be lower if the vendor if allows DFA to purchase at the UNM cost rather than State cost. He added that if the Council reverts monies from lower costs, it will not be penalized for not expending their budget; Ms. Gallegos agreed. Mr. Archuleta commented that quotes provided were for the NM Land Grant Council and not issued directly to DFA and that UNM quotes were provided to the Land Grant Studies Program. He asked if this was okay for DFA; Ms. Gallegos responded that this was fine. He also clarified that maintenance and service billings are done through UNM, billed to LGSP, then billing is transferred internally to proper index number. Ms. Gallegos raised concerns that if billing went through GSA, then DFA would be billed the whole cost and asked how the costs would be broken up so that LGSP pays its portion. Mr. Archuleta responded that at UNM, internal billing transfers would ensure this and that if UNM needs to cut a check to DFA, it would be more complicated. Ms. Gallegos responded either scenario was doable.

Mr. Archuleta added that in FY 2020, \$1,900 was budgeted for this copier costs; 75% of copier usage is for the NMLGC and FY 2020 was the first year that Council paid for copies as a part of IGSA. Previously the LGSP covered all costs. He added that DSI (Document Solutions Inc.) is a local, minority and women owned business and asked DFA if these factors in considering pricing and choosing a quote. Cristina Martinez (DFA) stated that she would need to confirm this with GSA, but that she believed that typically state agencies are directed to choose the best obtainable price. There does exist a preference for locally owned businesses and New Mexico residence and there were taken into consideration in the statewide price agreement. Council members discussed the promptness of purchase and delivery, ensuring it would be completed before June 30, 2020 and the likelihood of better service by a local company rather than a national company with a local office. In considering these factors, they reached a consensus that DSI offered the best quality machine (Konica-Minolta), with better output speeds (45ppm), and the best promise of good service.

Councilor Martínez made a motion that the Council purchase a copier through DSI, provided that the purchase at the UNM rate (\$8,424.70) is allowable by the vendor (DSI); if it is not, the Council shall purchase a copier through Xerox, at state rate (\$7,255.00) or UNM rate (\$5,647.00). Councilor Polaco seconded the motion.

Roll call vote: Councilor Padilla – aye  
Councilor Martínez – aye  
Councilor Correa-Skartwed – aye  
Councilor Polaco – aye  
Chairman Sánchez – aye

The motion passed.

## **6. Discussion and Possible Action on FY 2020 UNM Intergovernmental Service Agreement – Internal Budget Revision**

Mr. Archuleta reported that the NMLGC is set to revert \$6,965.69 from the UNM IGSA (Intergovernmental Service Agreement). The Council previously considered using these monies to purchase a copier or to provide additional summer research salary to the P.I., Dr. LM García y Griego. Another alternative is office supplies purchases, either through Staples (an approved UNM vendor) or through Lobomart. Staples prices are typically better. He presented a ‘wish list’ of office supplies, adding that the Council operates at a minimal budget and uses second and thirdhand office furnishings from other departments on campus. The following items (included in the meeting packet) were presented and discussed by Councilors and staff. DFA approved the purchase of the chairs and adjustable desk and raised concerns over the storage and usage of the digital camera, portable document scanner and high capacity USB drive. Council staff responded that these items would be stored in the lockable firesafe cabinet and would only be accessible and used by Council staff. Some items may be tagged by UNM for inventory control.

- Three office chairs
  - Needed to accommodate staff health/back issues
- Adjustable desk
  - Needed to accommodate staff health/back issues
  - Would like to replace table with this desk
- Paper – 5 boxes, 8 reams per carton
- Digital camera – documenting field research; archival research
- Ink for plotter (large format printer)
  - HP 727 Black Matte Ink Cartridge – 2
  - HP 727 Cyan Ink - 2
  - HP 727 Magenta Ink Cartridge - 2
  - HP 727 Photo Black Ink Cartridge - 2
  - HP 727 Gray Ink Cartridge - 2
  - HP 727 Yellow Ink Cartridge - 2
- Ink for portable printer
- Fujitsu ScanSnap SV600 PA03641-B305 Desktop Scanner
- PNY PRO Elite 1TB USB 3.0 Flash Drive
  - Important for transfer of materials that exceed capacity of typical drives and to ensure that drive is compatible with transferring device (PC/Mac)
- Centon MP – 8GB - USB 2.0 Pro Flash Drives, Gray; 2 - 50 count packs
  - To distribute items to land grants too large to e-mail, including, but not limited to archival materials; documents; mapping shape files;

- Martin Yale Letter folder
- When discussing copiers, letter folders that are part of finishing tray are \$1,000; Council can use and can be used to assist LGs as well
- Small portable document scanner
- Useful in field to scan important documents that land grants are unwilling to lend
- Monitor – to connect laptop computers
- Foldable Hand trucks – 2
- Small & Large
- Paperclips
- Wipes for digital screens
- Air dusters (for maintenance for machines)
- Binder clips
- Staples
- HP 62XL Black Ink Cartridge – for portable printer
- Display easels
- For presentations; signage; Council does not have any, typically borrow
- Sharpies, highlighters, pens
- Portable files folder boxes
- Banker boxes for file storage
- Classification file folders
- Useful for assisting LGs organize receipts for LGSF awards; organizing Council contracts, etc.
- Envelopes
- File folders
- legal pads
- mailing labels

Total cost for the above items is estimated at more than and would expend remaining Council monies under IGSA if purchased. The prices may change, items could be out of stock or could be cheaper if purchased through Lobomart. Ms. Gallegos reiterated that state agencies have been asked to minimize their purchases to what is absolutely necessary as the state is looking for as much reversions as possible and that agencies will not be penalized for reverting. Councilor Padilla asked that the list be reconsidered and paired down to what was necessary. Council members and staff discussed the list and removed the following items.

- Fujitsu ScanSnap SV600 PA03641-B305 Desktop Scanner
- 1 – 50 pack of 8GB flash drives
- Martin Yale Letter folder
- Handtruck – large
- Portable files folder boxes
- Classification file folders – 1 pack removed

Councilor Martínez made a motion to move funds from unexpended line items for the purchase necessary supplies not to exceed total amount remaining in UNM Inter-Governmental Services Agreement; Councilor Correa-Skartwed seconded the motion.

Roll call vote: Councilor Padilla – aye  
Councilor Martínez– aye  
Councilor Correa-Skartwed – aye  
Councilor Polaco - aye  
Chairman Sánchez – aye

The motion passed.

### **7. Discussion and Possible Action on FY 2021 Legal Services Contract**

Mr. Archuleta commented that the Council previously approved the scope of work for the legal services agreement and that Carmen Morin asked that DFA be provided something to confirm this approval. New Mexico Legal Aid offers the best value; their rate is \$125 per hour and additionally provide services after contract monies are expended, provided that client qualifies for income-based assistance. As a comparison, Holland and Hart’s cheapest rate is \$400 per hour and many attorneys currently working on land-grant related cases on a special contract are paid \$600.00 per hour. He added that NMLA attorney David Benavides’ level of expertise is unparalleled. The following rationale for the Council choosing NMLA was provided in the meeting packet

“Based on New Mexico Legal Aid’s level of expertise working on land and water issues for over 20 years, and their extremely low hourly rate compared to other law firms, the New Mexico Land Grant Council finds that a contract with New Mexico Legal Aid to provide legal services to land grants-mercedes would have the most value given the Council’s limited budget for legal services. Therefore the New Mexico Land Grant Council chooses to award a small legal services contract not to exceed \$40,000 to New Mexico Legal Aid for Fiscal Year 2021.”

Mr. Archuleta asked Ms. Morin if the rationale statement above would suffice; Ms. Morin responded in the affirmative. Ms. Martínez asked if the Council has anything in writing from NMLA regarding their hourly rate and added that DFA can contact NMLA to obtain the rate in writing.

Councilor Correa-Skartwed made a motion to award the legal services contract, not to exceed \$40,000, to New Mexico Legal Aid, especially considering their expertise and low hourly rate. Councilor Martínez seconded the motion.

Roll call vote: Councilor Padilla – aye  
Councilor Martínez – aye  
Councilor Correa-Skartwed – aye  
Councilor Polaco – aye  
Chairman Sánchez – aye

The motion passed.

### **8. Discussion and Possible Action on FY 2020 Publishing Expenditures**

Mr. Archuleta presented a quote from the State Printing Office for the publication of the law book (Land Grant-Merced Laws and Statutes). In printing of the law book, he stated a preference to also print an appendix that includes other important and applicable laws that are also important

to distribute to land grants. The quote (in packet) is for a total of total of \$2,094.79 for 250 copies; it would expend the remaining publishing budget. Councilors agreed that the publication was necessary.

Councilor Martínez made a motion to approve quote from State Printing Office for \$2,094.79; Councilor Polaco seconded the motion.

- Roll call vote: Councilor Padilla – aye
- Councilor Martínez – aye
- Councilor Correa-Skartwed – aye
- Councilor Polaco – aye
- Chairman Sánchez – aye

The motion passed.

**9. Adjournment**

Councilor Martínez made a motion to adjourn the meeting; Councilor Polaco seconded the motion.

- Roll call vote: Councilor Padilla – aye
- Councilor Martínez – aye
- Councilor Correa-Skartwed – aye
- Councilor Polaco – aye
- Chairman Sánchez – aye

The motion passed.

The meeting adjourned at 12:24pm.

**Approved:**

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Chair

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Date