

# The Education Trust Board of New Mexico

THE HONORABLE MICHELLE LUJAN GRISHAM  
GOVERNOR OF NEW MEXICO

DR. KATE O'NEILL, CABINET SECRETARY  
NEW MEXICO HIGHER EDUCATION DEPARTMENT



BOARD MEMBERS  
SANDRA LIGGETT, CHAIR  
ROBERT J. DESIDERIO, VICE-CHAIR  
DR. JOSE Z. GARCIA  
DAVID JANSEN  
MARK JARMIE

EXECUTIVE DIRECTOR  
THEODORE MILLER

## Meeting Minutes of September 9, 2019

1516 Paseo de Peralta, Santa Fe, New Mexico 87501

**APPROVED**  
*Vera Lyons*  
*Board Secretary*  
*11/7/19*

### Board Members in Attendance

Sandy Liggett - Board Chair (by telephone)  
Robert Desiderio – Member (by telephone)  
Dr. Jose Garcia – Member (by telephone)  
Mark Jarmie – Member (by telephone)  
David Jansen – Member (by telephone)

### Other Individuals in Attendance

Theodore Miller -- Executive Director ETB  
Vera Lyons – Secretary  
Jocelyn Black Hodes – Marketing Director (by telephone)  
Kurt Sommer – Sommer, Udall (by telephone)

#### 1) CALL TO ORDER

Ms. Liggett called the meeting to order at 4:01 PM. The role was called and five out of five Board members were present. A quorum existed.

#### 2) APPROVAL OF AGENDA

Ms. Liggett turned to the agenda and asked if there was any discussion. There being no discussion he called for a motion to approve the agenda. Mr. Jansen so moved. Mr. Desiderio seconded the motion. All present voted to approve the agenda as presented to the meeting.

#### 3) APPROVAL OF MINUTES

Ms. Liggett referenced the minutes of the meeting as presented to the Board and asked for any comments. Mr. Jansen asked for a correction on page 9 of the May 1<sup>st</sup> minutes. The correction was noted. Ms. Liggett called for a motion to approve the minutes as amended. Mr. Jansen moved that the minutes be approved. Mr. Jarmie seconded the motion. The vote to approve the minutes was unanimous.

#### 4) PUBLIC COMMENT

Ms. Liggett asked if there were any public comments. There were no public comments.

**5) IPRA REQUEST UPDATE**

ETB received an IPRA request from Bank of New York for the form of contract that the Board executed with Ascensus for Program Management. Ascensus asserted that certain items should be redacted from the contract. Mr. Miller informed Ms. Liggett and then sought legal advice from the board's New Mexico counsel. Mr. Sommer reviewed the Ascensus request, and spoke to counsel for Ascensus. Mr. Sommer advised that the redactions by Ascensus do not fall within the exceptions under IPRA. Mr. Sommer advised Ms. Liggett, Mr. Miller and the IPRA coordinator at HED that the information could not be withheld. Mr. Sommer informed counsel for Ascensus that the board was going to turn the information over as requested without any redaction. Ascensus took no further action. The IPRA request was honored without any redactions. Mr. Sommer will follow up with a letter to the Board for its files.

**6) RECOMMENDATION OF DIGITAL ADVERTISING AND MARKETING FIRM**

Mr. Miller stated the Evaluation Committee reviewed the proposals and heard oral presentations for the digital marketing RFP. The Committee recommended offering the contract for digital marketing and advertising to Esparza Advertising. The evaluation committee completed evaluations of proposals submitted by four firms. The firms were 3 Advertising, Esparza Advertising, Sunny 505 and Town Square Media. With the exception of Town Square Media all of the other offerors met the requirements to qualify them for further consideration. The other three offerors were invited as finalists to make oral presentations to the evaluation committee. The presentations were scheduled for August 28<sup>th</sup>. On August 20<sup>th</sup>, board staff received notice that 3 Advertising was withdrawing its proposal. The two remaining finalists gave their presentations on August 28<sup>th</sup>. Mr. Desiderio asked if the evaluators' score was such that Esparza came in first in each case. Mr. Miller confirmed that this was the case. Mr. Desiderio asked if there would be potential difficulty working with two different marketing vendors since Sunny 505 was awarded the traditional media marketing and advertising contract. Mr. Miller stated that there should not be any difficulty because they are operating in two different environments. He also noted that the initial term for each contract ended on June 30, 2020. If the firms could not work well together then one or both could be replaced if needed. Ms. Liggett asked about Esparza's staff for this contract. Mr. Miller stated that Esparza has two staff members and three contractors that are very experienced. Ms. Liggett called for a motion to approve the contract with Esparza. Mr. Desiderio so moved and Mr. Jansen seconded the motion. The vote to approve the contract was unanimous.

**7) ADJOURNMENT**

Ms. Liggett called for a motion to adjourn. Mr. Desiderio so moved. The motion was seconded by Mr. Jansen. The vote to adjourn was unanimous. The meeting adjourned at 4:24 PM.