

CBPC Background

CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)

Background of the CBPC (1997-2010)

Created by the New Mexico legislature in 1997 to study and plan for long-range facility needs of state government within Santa Fe, the CBPC's original statutory responsibility was to review prior long-range facility needs assessments and develop an initial master plan for state facilities in Santa Fe. Also, the commission was required to continue updating the master plan and report annually to the legislature.

In 1998, the commission endorsed, and the legislature passed, a bill to fund both a master plan and a repair-and-replacement study. The initial master plan for state facilities in Santa Fe was completed in 2000, and implementation began in 2001-2002.

The initial plan was divided into sub-master plans for five campuses identified in Santa Fe. Additionally, a facilities study was done that included an inventory and evaluation of existing state-owned building systems and a plan for long-range repair, renovation and replacement with an anticipated life-cycle rating schedule for existing state-owned buildings. The plan developed alternatives; strategies; site master plans identifying capital needs, costs and ongoing facility management requirements; and potential funding mechanisms to address one of the major considerations emerging from the initial master plan: to reduce the amount of space that the state leases.

Senate Bill 182 (Laws 2001, Chapter 166) authorized the property control division (PCD) of the general services department (GSD) to acquire buildings and land in Santa Fe county for use as state office buildings, which had been recommended in the master plan. In the same legislation, the New Mexico finance authority (NMFA) was granted a contingency authorization to issue up to \$75 million in revenue bonds for the purchase of properties. Included in that authorization were the purchases of the PERA and NEA buildings at the main capitol campus, the construction of an office building (currently named the Toney Anaya building) at the west capitol campus and the purchase of property in Santa Fe near Cerrillos road and adjacent to the public safety campus and the district 5 office of the New Mexico department of transportation (DOT).

Senate Bill 214 (Laws 2001, Chapter 199) created a financing source for state office building acquisitions in the State Office Building Acquisition Bonding Act. This act authorized the NMFA to sell state office building tax revenue bonds to acquire the state office buildings authorized that same year in Senate Bill 182 and provided up to \$500,000 per month of a state gross receipts tax intercept for this purpose.

By 2002, the statute authorizing the CBPC had been amended to extend the commission's authority to include the Albuquerque Metropolitan area within the overall master plan. The initial step in preparing a master plan for state government facilities in Albuquerque was undertaken in 2003 by ARC-Dekker Perich through a data-gathering inventory of the facilities in greater metropolitan Albuquerque, which included Valencia county and all three Los Lunas sites. In 2004, the CBPC requested an update of the original Santa Fe master plan, and, at that time, it

authorized a full master plan for Albuquerque. **Senate Bill 332 (Laws 2004, Chapter 123)** appropriated \$250,000 to provide funds for these master planning mandates. Also, as provided in **Laws 2004, Chapter 123**, the area of property that could be considered for purchase near the public safety campus was expanded, and subsequently, land purchases in the Valdes industrial park were approved by the state board of finance on January 10, 2006.

During the 2005 interim, the master plan consultants for the CBPC completed questionnaires and interviews for most state departments and agencies located in the Santa Fe and Albuquerque metropolitan areas, preparatory to incorporating Albuquerque within the state master plan. Preliminary findings were offered to the CBPC for consideration. In 2006, the master planners were directed by the CBPC to include the DOT and the cultural affairs department (CAD) data into the master plan.

Another option for acquiring additional state facilities was realized when **Constitutional Amendment Number 2** passed in the 2006 general election. The amendment provides for lease-purchase agreements for state buildings. In 2007, the CBPC endorsed, and the legislature approved, enabling legislation for lease-purchases, which became law in **House Bill 1022 (Laws 2007, Chapter 184)**. The same year, **Senate Bill 1061 (Laws 2007, Chapter 64)** increased the authority of the NMFA to issue up to \$100 million in revenue bonds at any one time. This bill also increased the state gross receipts tax intercept up to \$530,000 per month to finance the bonds. The NMFA issued state building acquisition revenue bonds for construction of an office building on the west capitol campus and to purchase the NEA building. This revenue source has funded other projects, including the scientific laboratories (tri-lab) in Albuquerque and the capitol parking garage in Santa Fe at the main capitol campus.

Senate Bill 1061 (Laws 2007, Chapter 64) was enacted to expand the CBPC authority to include the Las Cruces metropolitan area into its master plans and to include a review of state properties throughout New Mexico in order to develop an overall statewide master plan. Funds were appropriated for FY 2007 through FY 2009 to fund these expanded master planning efforts.

In the 2008 legislative session, the CBPC requested an increase in the gross receipts tax intercept up to \$590,000 per month to support construction of the parking garage on the main capitol campus; however, the legislation, **Senate Bill 298 (2008)**, was pocket vetoed by the governor, resulting in construction of fewer parking spaces than originally endorsed by the CBPC. An extremely successful collaborative process was undertaken to ensure that its design and functionality would complement the other facilities on the main capitol campus and the historic district of Santa Fe. The parking structure was completed and ownership transferred to the New Mexico legislative council in October 2009.

The creation of several state campuses in the Albuquerque metropolitan area has been proposed, along with the possibility of having a "superblock" site in Albuquerque, where the current youth development and diagnostic center (YDDC) facility is located. In 2006, the CBPC had directed

that evaluation of a superblock site in Albuquerque be done and that certain state land holdings in Los Lunas be considered as possible locations for development of state campuses. Additionally, the CBPC requested assessments of other owned and leased sites in Albuquerque. In 2008, the CBPC had supported recommendations for relocating programs of the children, youth and families department (CYFD) from Albuquerque to one of the Los Lunas campuses in Valencia county. Details of these proposals continue to be studied by the master planners, the PCD, the CYFD and the CBPC. The CYFD received funding to address master planning for the agency, which was completed in 2010.

House Joint Resolution 9 (2008) approved the trade, sale or transfer of the department of health (DOH) old state laboratory building to the university of New Mexico (UNM) upon completion of the new tri-lab facility adjacent to the UNM campus. DOH moved into the new lab in 2010 and the property transfer was completed.

The collaborative process used for the Santa Fe main capitol campus parking structure led to the passage of **House Bill 360 (Laws 2009, Chapter 23)**, which establishes a process for state and local collaboration during the implementation of projects within certain historic districts of the state. The process allows for both local government and public input.

A super complex for health and human services was considered and subsequently approved and funded by the legislature in 2009. The initial proposal for a super complex in Santa Fe recommended consolidation of a number of human service agencies into a state-owned facility, where operations and functions could create "one-stop shopping" for services. Consolidation was supported as a means to realize economic efficiencies through asset sharing. Earlier in 2007, a site assessment had been conducted for the proposed complex, now known as the health and human services complex (HHS). Throughout the interim of 2008, the CBPC received testimony in support of the HHS, although the actual site for the facility was debated.

The CBPC endorsed legislation, subsequently adopted in **House Bill 728 (Laws 2009, Chapter 145)**, to fund phase 1 of the HHS, including authorization for a possible lease-purchase agreement, and for the NMFA to issue bonds for the land and construction of the facility within the municipality or county of Santa Fe. Additionally, more funding was authorized to acquire land for the complex at a location to be determined. The legislation required that state land be considered for possible trade as part of the land acquisition for the HHS. In 2009 and 2010, considerable attention was given to the selection of a site and land acquisition for the HHS. Not until November 2010 did the land acquisition at Las Soleras receive final approval from the CBPC, state board of finance and attorney general. Financing of the acquisition also received approval from the NMFA in November 2010. Two extensions (amendments) for the land acquisition have been granted to the state extending the purchaser due diligence to November 15, 2011.

Earlier in 2008, appropriating language for the state capitol north annex renovations was expanded to include long-range facility space needs, including the initial planning and design of an additional executive agency facility (**Senate Bill 352 (Laws 2008, Chapter 83, Section 381)**, which amended **House Bill 1137 (Laws 2007, Chapter 192)**).

In 2009, the CBPC put forth several legislative initiatives. Two received funding for master planning of the south capitol campus in Santa Fe and for demolition, decommissioning and abatement of buildings at the Los Lunas campus and statewide. Both initiatives underscore the CBPC's consideration of both master planning and facility disposition as critical components in the master planning process. The south capitol campus 2040 master plan was completed in 2010 and presented to the CBPC.

Additionally in 2009, **Senate Bill 221 (Laws 2009, Chapter 114)** was enacted, increasing the gross receipts tax intercept to finance the construction of a new state-owned executive office building on the main capitol campus, adjacent to the new parking structure. Construction of the facility is planned to provide for the relocation of several state agencies throughout the main capitol campus and to allow other state agencies to vacate leased space and move into state-owned property. Additionally, the legislation extended the expenditure period for master planning funds and for appropriations to finance the future purchase of federal land located adjacent to the west capitol campus. This last authorization was expanded in **Laws 2010, 2nd special session, Chapter 4** to provide for the purchase of certain parcels of land on the former college of Santa Fe campus, adjacent to the west capitol campus. Four parcels of land (Tracts A, B, C and D) were purchased in 2010. The purchase of a fifth parcel (Tract O) was completed as well.

Senate Bill 220 (Laws 2009, Chapter 19) further expanded the duties of the CBPC to include the review of proposed lease-purchase agreements for certain projects prior to submission to the legislature; and directed the commission to work with the GSD on addressing deferred maintenance on state facilities and using life-cycle costing in the development of recommendations for the lease, lease-purchase or purchase of additional facilities. Although some preliminary life-cycle costing has been used in support of CBPC initiatives, a more formalized lease-purchase agreement review process was developed in 2010 to analyze financing options for facilities. A web-based application is under development and should be completed in 2011.

History of CBPC Legislation

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)**

1997-2022

1997		
1997	House Bill 1268 (B. Lujan), Chapter 178, Section 5. Compiled under Section 15-10-1 NMSA 1978.	In Section 5 the CBPC is created to study and plan for the long-range facilities needs of state government in Santa Fe. Chapter 178 also contains appropriations for the Capitol North and state library original renovations.
1998		
1998	House Bill 211 (B. Lujan), Chapter 58. Compiled under Section 15-3B-20 NMSA 1978.	Established the "Property Control Reserve Fund", which consists of appropriations, money from sale of real estate, gifts, etc., to be used for purchasing or constructing state office buildings in Santa Fe subject to appropriation by the legislature. Money in the fund is not subject to reversion to the general fund.
1998	Senate Joint Resolution 13 (Maes).	Charged the CBPC with review of the disposition of the properties known as La Villa Rivera, Marian Hall and Cathedral Park.
1998	Senate Bill 322 (Fidel), Chapter 70.	Provided \$150,000 for a master plan and \$150,000 for a repair-and-replacement study for state facilities in Santa Fe.
2000		
2000	<i>Senate Bill 134 (Fidel), failed.</i>	Would have authorized the Property Control Division (PCD) of the General Services Department (GSD) to acquire various office buildings in Santa Fe County for the use of state office buildings, and would have authorized the State Board of Finance to issue and sell state office building tax revenue bonds in compliance with the State Office Building Acquisition Bonding Act.
2000	<i>Senate Bill 135 (Fidel), failed.</i>	Would have created the State Office Building Acquisition Bonding Act.

2001		
2001	Senate Bill 182 (Fidel), Chapter 166. Compiled under Section 6-21C-4 NMSA 1978.	Legislature authorized the PCD to acquire various office buildings and land in Santa Fe County for use as state office buildings, as recommended in the master plan, and authorized the New Mexico Finance Authority (NMFA) to issue up to \$75 million in revenue bonds for the purchase of properties. The properties included: construction of a new office at the West Capitol complex; purchase of the National Education Association (NEA) Building; purchase of the Public Employees Retirement Association (PERA) Building; and purchase of land on Cerrillos Road in Santa Fe, located adjacent to the District 5 office of the Department of Transportation (DOT).
2001	Senate Bill 214 (Fidel), Chapter 199. Compiled under Chapter 6, Article 21C NMSA 1978.	Enacted the State Office Building Acquisition Bonding Act, which was in 2003 renamed the State Building Bonding Act. Offered the financing source for the West Capitol complex, NEA and PERA buildings and land on Cerrillos Road adjacent to the DOT District 5 office. The bill earmarked a distribution (intercept) of state gross receipts tax revenue, up to \$500,000 per month, to buy and build state office buildings; the NMFA is authorized to sell state office buildings tax revenue bonds to acquire the state office buildings authorized in Senate Bill 182. (The NMFA issued the first series of state office building tax revenue bonds, totaling \$34.7 million, on December 13, 2001.)
2002		
2002	Senate Bill 111 (Fidel), Chapter 69. Compiled under Chapter 15, Article 10 NMSA 1978.	Amendment to include the Albuquerque Master Plan within the purview of the CBPC.
2002	House Bill 88 (Sandoval), Chapter 110.	Appropriated bond funding of \$3 million to plan, design, construct and equip a state lab at the University of New Mexico (UNM) in Albuquerque. Funding was programmed to four labs to include the state police crime lab, Office of the Medical Investigator, the Department of Health (DOH) scientific lab and the Department of Agriculture lab.

2003		
2003	Senate Bill 689 (Fidel), Chapter 110. Compiled under Section 15-10-1 NMSA 1978.	Added the secretary of transportation and the secretary of cultural affairs to the CBPC membership.
2003	House Bill 496 (Coll), Chapter 371. Compiled under Section 6-21C-5 NMSA 1978.	Renamed the State Office Building Acquisition Bonding Act as the State Building Bonding Act; changed the name of the State Office Building Bonding Fund to the State Building Bonding Fund; and expanded the act's purpose to authorize the NMFA to issue and sell bonds through the State Building Bonding Fund for renovation and maintenance of existing structures and development of permanent exhibits for state museums, including monuments.
2003	House Bill 594 (Coll), Chapter 372. Compiled under Section 6-21C-5 NMSA 1978.	Authorized the NMFA to issue and sell state museum tax revenue bonds in compliance with the State Building Bonding Act not to exceed \$5,760,000 when the state cultural affairs officer certifies that the money is needed for renovation, maintenance and development of state museums and monuments after review by the CBPC. The commission reviewed the proposal after the Office of Cultural Affairs certified it and recommended the issuance of bonds.
2003	House Bill 259 (J.G. Taylor), Chapter 89.	Appropriated \$8 million from the State Building Bonding Fund to the Board of Regents of New Mexico State University for acquisition of a university sports facility after all other authorized projects have been funded.
2004		
2004	House Joint Resolution 12 (Varela) and House Bill 545 (B. Lujan), Chapter 63. Compiled under Section 15-3B-20 NMSA 1978.	Approved the sale of the Labor Department building in Santa Fe and authorized the proceeds of the sale to be used for the purchase of a new building.

2004	Senate Bill 332 (Fidel), Chapter 123. Compiled under Chapter 6, Article 21C NMSA 1978.	Grandfathered in cultural affairs projects that were authorized in 2003 using intercept funds for the State Building Bonding Fund, but returned the purpose of the law to its original language of 2001. The bill also included amendments to Laws 2001, Chapter 166. The amendments expanded the Jaguar Road definition from "for the purchase of land on Cerrillos Road in Santa Fe, located adjacent to the District 5 office of the Department of Transportation" to increase the available property that could be considered in the public safety campus area and required that infrastructure be in place. Also, the bill appropriated \$250,000 to the Legislative Council Service (LCS) for expenditure in FY04-FY07 to provide for master planning (an update to the original Santa Fe Master Plan) and annual updates.
2005		
2005	House Bill 1045 (B. Lujan), Chapter 147. Compiled under Section 10-11-130 NMSA 1978.	Authorized the PERA Board to acquire land and construct a new building to house the retirement association if the existing PERA building is sold. This measure also provided authority to use the proceeds of the sale of the existing PERA building to design and construct a new PERA building, which will be held as a trust asset in the PERA's name.
2005	HTRC/House Bill 885, Chapter 347.	<u>Not CBPC legislation</u> , but Section 64 authorized short-term severance tax bonds of \$17 million for a state laboratory facility for the Department of Health.

2005	Senate Bill 289 (Fidel), Chapter 320. Compiled under Section 6-21C-4 NMSA 1978.	Expanded the purposes of the State Building Bonding Act. Authorized the PCD to spend bond proceeds to plan, design, construct and equip a parking structure in the Central Capitol Campus in Santa Fe, contingent upon approval from the CBPC and in conformance with the CBPC-approved master plan and to be transferred to the New Mexico Legislative Council upon completion; expanded the use of the fund slightly to cover replacement of state facilities in danger of losing certification and, thus, authorized partial funding for a replacement facility for the state laboratory on the UNM campus in Albuquerque. The commission heard testimony during the interim that the tri-labs purchase agreement had been drafted and the site had been selected on the UNM campus near Carrie Tingley Hospital, which will provide the labs with access to I-25. It extended the expiration of the master planning expenditure authorization from FY07 to FY08. The original appropriation was made in 2004.
2005	House Joint Resolution 9 (B. Lujan).	Constitutional amendment proposing that the state and school districts enter into lease-purchase agreements for the acquisition of buildings and other real property.
2006		
2006	<i>Senate Bill 380 (Fidel), failed.</i>	Would have appropriated \$565,000 from the general fund to the PCD to establish a master planning and asset management function for the needs of state government facilities within the purview of the CBPC and to obtain the necessary hardware and software necessary to maintain an updated master plan.
2006	House Joint Resolution 9 (2005) adopted by the voters Nov. 7, 2006. Compiled under Article 9, Section 8 of the Constitution of New Mexico.	Allowed the state and school districts to enter into lease-purchase agreements for the acquisition of buildings and other real property.

2007		
2007	House Bill 1022 (B. Lujan), Chapter 184. Compiled under Section 15-3-35 NMSA 1978.	Established enabling provisions for the lease-purchase of state facilities. Purchases must be authorized by the legislature. <i>(Does not include public school facilities or state educational institutions — see SB 395 (Nava), Chapter 365 (partial veto) for public school facilities.)</i>
2007	Senate Bill 1061 (Ingle), Chapter 64.	Changed the CBPC membership to include the state treasurer and omit the staff architect; expanded the jurisdiction of the commission to Las Cruces; and clarified that the jurisdiction also applies to the metropolitan areas of Santa Fe, Albuquerque and Las Cruces. Required that a review of state properties be done throughout the state in order to develop an overall master plan, and it authorized \$350,000 for FY07 through FY09 to the LCS to undertake for the CBPC. Authorized various financing methods for the acquisition of needed state properties: an additional \$10 million in state office building tax revenue bonds and appropriated the proceeds of the bonds (\$18.8 million) for the state (tri) laboratory, the acquisition of the Coughlin Building (\$1.5 million), the Capitol parking structure (\$11.5 million) and the commission's master planning process (\$350,000); it increased the gross receipts tax distribution for debt service to \$530,000 from \$500,000; it authorized \$11 million in severance tax bonds for the state laboratory for FY07 through FY11; it appropriated \$5 million (\$1.5 million from the Property Control Reserve Fund and \$3.5 million from the Public Buildings Repair Fund) for FY07-FY09 to purchase federal property within the West Capitol complex (current citation in Laws 2010 (2nd S.S.), Chapter 4, Section 35); and it appropriated \$1 million from the general fund for the planning and design of a state police crime laboratory in Albuquerque in FY07-FY09. It provided that state office building tax revenue bonds outstanding at any one time shall not exceed \$100 million, an increase of \$10 million above the previous level.

2007	House Bill 1137 (B. Lujan), Chapter 192.	<u>Not CBPC legislation</u> , but included appropriations of \$4.5 million for the plan, design, construction and renovation of Capitol North and limited Capitol space needs. (Funded \$1 million FY07 distributions from the Capitol Buildings Repair Fund (CBRF), \$2.5 million FY08 distributions to CBRF and \$1 million legislative cash balances.) FY07-FY11 expenditure authority. See changes to appropriations in Laws 2008, Chapter 83 and Laws 2009, Chapter 114.
2007	House Bill 2 (Saavedra), Chapter 28.	Provided additional funds and two FTEs in the GSD/PCD.
2007	Senate Joint Resolution 13 (Papen).	<u>Not CBPC legislation</u> , but authorized the sale/trade of property in Las Cruces for the future co-location/construction of state facilities.
2007	Senate Joint Resolution 16 (Altamirano).	Authorized sale, trade or lease of old metro court in Albuquerque. See subsequent legislation (2010 HJR 9) transferring the property to Bernalillo County.
2007	House Joint Resolution 8 (B. Lujan).	Authorized sale or trade of Galisteo property in Santa Fe.
2007	House Joint Resolution 14 (Sandoval).	<u>Not CBPC legislation</u> , but authorized the lease of certain property adjacent to Edith Boulevard (YDDC) in Albuquerque.
2008		
2008	<i>Senate Bill 298 (Ingle), pocket vetoed.</i>	Would have increased the gross receipts tax (GRT) intercept into the State Building Bonding Fund to provide an additional \$9 million for additional parking capacity at the Main Capitol Campus parking structure.
2008	House Joint Resolution 9 (B. Lujan).	Approved the sale, trade or other transfer of the old state laboratory building and property to the Board of Regents of the University of New Mexico. Replaced authorization from SJR 12 in 2001 to sell the building to UNM.
2008	<i>House Bill 352 (B. Lujan), failed.</i>	Would have removed the requirement in Laws 2007, Chapter 64, Section 6 that the New Mexico State Police Crime Laboratory be located in Albuquerque.

2008	SF1/Senate Bill 352 (Cisneros), Chapter 83, Section 381.	Expanded expenditure period through 2012 for appropriations for Capitol area renovations and expanded the purpose to include renovations for larger legislative committee space and long-range facility space plans, including the initial planning and design of any additional executive agency space. Appropriations were originally authorized in Laws 2007, Chapter 192 and later amended in Laws 2009, Chapter 114.
2008	Senate Joint Resolution 12 (Cisneros).	<u>Not CBPC legislation</u> , but authorized the transfer of two acres of land and improvements from the GSD to the Town of Taos. CBPC to review the transfer prior to it being finalized.
2008	<i>Senate Bill 509 (Ingle), pocket vetoed.</i>	<u>Not CBPC legislation</u> , but would have provided the CBPC with additional duties to review proposed lease-purchase agreements; to develop a long-term statewide strategic facility management plan; to determine deferred maintenance for existing state facilities; to make recommendations regarding leasing, lease purchasing or purchasing additional state facilities; and to formulate disposal strategies for aging state facilities.

2009		
2009	SFC/Senate Bill 221 (Ingle), Chapter 114. Amended Sections 6-21C-4, 6-21C-5 and 7-1-6.42 NMSA 1978 (not all sections of bill were compiled).	Authorized an increase in the GRT intercept to finance the construction of a state-owned executive office building on the Main Capitol Campus. GRT intercept would not begin until July 1, 2011, or when debt service payments are to begin. No net impact on general fund because revenues currently paying for leased space will offset the diversion from the general fund. The bill also extended the expenditure period for certain master planning funds for the CBPC (originally authorized in Laws 2001, Chapter 166, Section 2; amended by Laws 2004, Chapter 123, Section 7; Laws 2005, Chapter 320, Section 4; and Laws 2007, Chapter 64, Section 4; current citation in Laws 2009, Chapter 114, Section 5); appropriated and reauthorized additional funds for CBPC master planning (originally authorized in Laws 2007, Chapter 192 and reauthorized by Laws 2008, Chapter 83; current citation in Laws 2009, Chapter 114, Section 7); and extended the expenditure period for purchasing land at the West Capitol complex (originally authorized in Laws 2007, Chapter 64, Section 6; 2009 changes made in Laws 2009, Chapter 114, Section 6; current citation in Laws 2010 (2nd S.S.), Chapter 4, Section 35).
2009	House Bill 728 (B. Lujan), Chapter 145. Enacted new Sections 6-21-6.14 and 15-3B-21 NMSA 1978.	Authorized the initial phase of construction for a facility to house the Human Services Department (HSD) and the Children, Youth and Families Department (CYFD) using a lease-purchase financing arrangement. The NMFA is authorized to issue revenue bonds to construct the building and enter into a lease-purchase agreement with the PCD, which will sublease the facility to the HSD and CYFD and use current private lease payments as the revenue source to pay the debt service.

<p>2009</p>	<p>Senate Bill 220 (Ingle), Chapter 19. Amended Section 15-10-1 NMSA 1978 and enacted a new Section 15-10-2 NMSA 1978.</p>	<p>Allowed for the secretary of general services and the state treasurer to appoint designees to attend CBPC meetings on their behalf; provided for the CBPC to review proposed lease-purchase agreements for certain projects prior to submission to the legislature; and directed the commission to work with the GSD on addressing deferred maintenance on state facilities and using life-cycle costing in developing recommendations regarding the lease, lease purchase or purchase of additional facilities.</p>
<p>2009</p>	<p>HTRC/House Bill 360 (B. Lujan), Chapter 23. Enacted a new Section 3-22-6 NMSA 1978.</p>	<p>Established a collaborative process for a state agency to carry out a capital outlay project in a historic district in a manner that is generally compatible with local ordinances.</p>
<p>2009</p>	<p><i>House Bill 194 (Taylor), failed.</i></p>	<p>Would have allocated 2% of appropriations exceeding \$100,000 for new construction or major renovation of buildings under the jurisdiction of the PCD to be directed into the Public Buildings Repair Fund for addressing maintenance and repairs of state buildings, particularly those outside of Santa Fe.</p>
<p>2009</p>	<p><i>Senate Joint Resolution 7 (M. Sanchez) and Senate Bill 546 (M. Sanchez), failed.</i></p>	<p>Senate Joint Resolution 7 would have approved the lease-purchase agreement for a substance abuse treatment and training facility on the Los Lunas correctional campus and would have approved the lease of state land on which the facility was to have been constructed. Senate Bill 546 would additionally have allowed the NMFA to sell revenue bonds to finance the construction of the facility and would have established a statutory lease-purchase financing mechanism for the NMFA for this and future projects.</p>

2009	HTRC/House Bill 154 (Sandoval), Chapter 125.	<u>Not CBPC legislation</u> , but authorized severance tax bonds for <u>CBPC-endorsed projects</u> , including \$2.7 million for demolition, decommissioning and asbestos abatement of state buildings at the Los Lunas campus and statewide (Section 7, Subsection 22); \$2 million for statewide repairs, renovations, deferred maintenance and infrastructure improvements (Section 7, Subsection 23); \$4 million to acquire land for and to plan and design a health and human services complex in Santa Fe in Santa Fe County (Section 7, Subsection 15) with an appropriation expiring June 30, 2013; \$500,000 for a south capitol complex development plan, renovations and improvements for infill and redevelopment (Section 7, Subsection 16); \$1 million for statewide repairs and maintenance of cultural assets (Section 9, Subsection 6); and \$3.7 million for completion of statewide cultural facilities projects (Section 9, Subsections 1 through 5). Other funded projects that are within the Albuquerque metropolitan master planning area include \$330,000 for improvements to the therapeutic pool in the natatorium at the Los Lunas campus (Section 7, Subsection 26); \$5 million for the State Fair Commission to develop a master plan and for improvements to state fair facilities (Section 21); and \$50,000 for the DOT to replace the roof of the hilltop building in Albuquerque (Section 45, Subsection 1).
2009	House Joint Resolution 19 (Park).	<u>Not CBPC legislation</u> , but authorized extension of the lease to the Downs of Albuquerque of facilities at the state fairgrounds until January 2012.
2010		
2010	Senate Joint Resolution 9 (regular session) (Papen).	Authorized the trade of state land for 3.8 acres of private land to be used for Santa Teresa port of entry drainage purposes
2010	SFC/Senate Bill 200 (regular session), Chapter 73. Enacted a new Section 15-3-36 NMSA 1978.	<u>Not CBPC legislation</u> , but established energy-efficiency standards for new state government buildings.
2010	House Joint Resolution 9 (regular session) (Miera).	<u>Not CBPC legislation</u> , but authorized the transfer of the old Metropolitan Court building in Albuquerque to Bernalillo County.

2010	SFI/Senate Joint Resolution 16 (regular session).	<u>Not CBPC legislation</u> , but authorized the trade or sale to the Town of Taos of state-owned land within the Taos Mini Industrial Park, subject to land grant right of first refusal provisions of Section 13-6-5 NMSA 1978 and review by the CBPC.
2010	House Bill 112 (regular session) (A. Lujan), Chapter 11, and Senate Bill 95 (regular session) (Papen), Chapter 9.	<u>Not CBPC legislation</u> , but authorized the Las Cruces downtown tax increment development district, encompassing possible state-office development, to issue \$8 million in bonds to finance the district.
2010	House Bill 5 (2nd Special Session) (Trujillo), Chapter 4.	<u>Not CBPC legislation</u> , but authorized severance tax bonds for several projects within master planning areas, including \$1.4 million for projects at the YDDC in Albuquerque (Section 4, Subsections 1 through 3); \$500,000 for completion of the tri-services lab facility in Albuquerque (Section 4, Subsection 4); \$3.48 million for renovation and deferred maintenance projects in state building statewide (Section 4, Subsection 12); and \$1.1 million for infrastructure improvements to cultural facilities statewide (Section 5). The bill also mandated that money previously appropriated (Laws 2007, Chapter 64, Section 6, as amended by Laws 2009, Chapter 114, Section 6) for purchase of property on the West Capitol Campus also be expended for the acquisition of certain parcels on the College of Santa Fe campus (Section 35).
2011		
2011	House Joint Resolution 9 (Varela).	<u>Not CBPC legislation</u> , but authorized the donation or sale of property on the former College of Santa Fe campus to Santa Fe Community College.
2011	Senate Joint Resolution 1 (Papen).	<u>Not CBPC legislation</u> , but authorized the donation of the Camunez Building to the City of Las Cruces.
2011	Senate Joint Resolution 11 (Sanchez).	<u>Not CBPC legislation</u> , but authorized the transfer of land upon which is located Katherine Gallegos Elementary School to the Los Lunas Public School District.

2011	<i>Senate Bill 193 (Ingle), pocket vetoed.</i>	Would have required state agencies to develop five-year facilities master plans, based on guidelines developed by the PCD and consistent with CBPC master plans and planning principles.
2011	<i>SFC/Senate Bill 218 (Cisneros), failed.</i>	<u>Not CBPC legislation</u> , but would have authorized severance tax bonds for many state projects within master-planned areas, including \$300,000 for Workforce Solutions Department projects in Albuquerque, Deming and Las Vegas (Section 5, Subsections 3, 6 and 19); \$18.6 million for Corrections Department projects statewide (Section 5, Subsections 4, 5, 7, 8 and 28); \$3.9 million for CYFD projects in Albuquerque and southeastern New Mexico (Section 5, Subsections 9 and 10); \$12.8 million for projects at the New Mexico Behavioral Health Institute in Las Vegas (Section 5, Subsections 12-18); \$12 million for renovations to buildings at the South Capitol Campus in Santa Fe (Section 5, Subsections 21 and 22); \$10.8 million for Department of Health projects in Truth or Consequences and Los Lunas (Section 5, Subsections 23-26); \$5 million for the drug and substance abuse treatment facility in Los Lunas (Section 5, Subsection 27); \$2 million for demolition and decommissioning of state buildings statewide (Section 5, Subsection 29); and \$5 million for repairs, renovations and deferred maintenance abatement at state buildings statewide (Section 5, Subsection 30).
2011	House Memorial 52 (Maestas).	<u>Not CBPC legislation</u> , but calls for collaboration among certain agencies to achieve cost-effective consolidation of agency offices into state-owned facilities in Albuquerque.
2012		
2012	<i>Senate Bill 83 (Ingle), pocket vetoed.</i>	Would have required state agencies to develop five-year facilities master plans, based on guidelines developed by the PCD and consistent with CBPC master plans and planning principles. It would have appropriated \$2.3 million for a facilities condition assessment and \$1 million to provide facilities master planning assistance to state agencies.

2013		
2013	Senate Bill 339 (Ingle), Chapter 115.	<u>Not CBPC legislation</u> , but combines the former Property Control Division and Building Services Division of the General Services Department into the Facilities Management Division (FMD).
2013	Senate Bill 572 (Ingle), Chapter 174.	<u>Not CBPC legislation</u> , but allows the Property Control Reserve Fund to be used statewide for the purchase or construction of state buildings.
2013	Senate Bill 341 (Ingle), Chapter 215.	<u>Not CBPC legislation</u> , but increases the cap on building and remodeling contracts from \$500,000 to \$5 million and eliminates the requirement that the FMD report contracts at State Board of Finance meetings.
2013	Senate Bill 340 (Ingle), Chapter 146.	<u>Not CBPC legislation</u> , but allows the FMD to contract for design and build projects that are in the best interests of the state or a local public body without a \$10 million contract limit.
2013	Senate Bill 266 (Griego), Chapter 99.	<u>Not CBPC legislation</u> , but amends the Procurement Code procedures for contracting for architectural and engineering services such that a single contract is capped at \$500,000 and multiple projects with a single contractor may not exceed \$2 million over a four-year period.
2014		
2014	House Joint Resolution 8 (J.R. Trujillo).	<u>Not CBPC legislation</u> , but authorizes the disposal of surplus land in Santa Fe by the State Parks Division of the Energy, Minerals and Natural Resources Department.
2014	House Joint Memorial 11 (Garcia Richard).	<u>Not CBPC legislation</u> , but requests that the secretary of general services develop guidance and secure qualified training on bids and requests for proposals for government contracts for chief procurement officers that promote fair competition and transparency for New Mexico resident businesses and contractors.
2015		
2015	House Joint Resolution 20 (J.R. Trujillo).	<u>Not CBPC legislation</u> , but authorizes the transfer of land in Santa Fe from the General Services Department to the Administrative Office of the Courts.

2015	Senate Joint Resolution 7 (Rodriguez).	<u>Not CBPC legislation</u> , but authorizes the sale of real property in Santa Fe by the General Services Department to the New Mexico School for the Arts.
2016		
2016	Senate Joint Resolution 9 (C. Sanchez) and House Joint Resolution 17 (Baldonado).	<u>Not CBPC legislation</u> , but the joint resolutions ratify and approve the donation and transfer of two tracts of state-owned real property that are currently leased by the Village of Los Lunas and others for municipal and related purposes to the Village of Los Lunas.
2016	Senate Joint Resolution 10 (M. Sanchez).	<u>Not CBPC legislation</u> , but ratifies and approves the donation and transfer of state-owned real property in the Village of Los Lunas, currently leased for the Valencia County Courthouse, to Valencia County for the continued operation of a courthouse.
2016	Senate Joint Resolution 13 (Campos) and House Joint Resolution 15 (T. Salazar).	<u>Not CBPC legislation</u> , but the joint resolutions ratify and approve the donation and transfer of state-owned real property at 301 Mills Avenue, Las Vegas, New Mexico, to the City of Las Vegas for municipal uses and governmental functions.
2016	Senate Joint Resolution 19 (Kernan) and House Joint Resolution 21 (Brown).	<u>Not CBPC legislation</u> , but the joint resolutions ratify and approve the sale of real property owned by the Pecos Valley Regional Education Cooperative and used for its main offices on the condition that the cooperative concurrently purchase or lease a replacement real property.
2016	<i>Senate Memorial 98 (Wirth) and House Memorial 51 (Steinborn), died.</i>	<u>Not CBPC legislation</u> , but would have requested the General Services Department, the Energy, Minerals and Natural Resources Department and solar energy proponents to evaluate the potential energy and cost savings, feasibility and financial options for expanding the use of solar power on state facilities.
2016	Senate Joint Resolution 9 (M. Sanchez and C. Sanchez) and House Joint Resolution 17 (Baldonado)	<u>Not CBPC legislation</u> , but the joint resolutions ratify and approve the donation and transfer of two tracts of state-owned real property that are currently leased by the Village of Los Lunas and others for municipal and related purposes to the Village of Los Lunas.

2016	Senate Joint Resolution 10 (M. Sanchez and C. Sanchez).	<u>Not CBPC legislation</u> , but ratifies and approves the donation and transfer of state-owned real property in the Village of Los Lunas, currently leased for the Valencia County Courthouse, to Valencia County for the continued operation of a courthouse.
2016	Senate Joint Resolution 13 (Campos) and House Joint Resolution 15 (T. Salazar).	<u>Not CBPC legislation</u> , but the resolutions ratify and approve the donation and transfer of state-owned real property at 301 Mills Avenue, Las Vegas, New Mexico to the city of Las Vegas for municipal uses and governmental functions.
2016	Senate Joint Resolution 19 (Kernan) and House Joint Resolution 21 (Brown).	<u>Not CBPC legislation</u> , but the resolutions ratify and approve the sale of real property owned by the Pecos Valley Regional Education Cooperative and used for its main offices on the condition that the cooperative concurrently purchase or lease a replacement real property.
2016	<i>Senate Memorial 98 (Wirth) and House Memorial 51 (Steinborn), died.</i>	<u>Not CBPC legislation</u> , but requesting the General Services Department, the Energy, Minerals and Natural Resources Department and solar energy proponents to evaluate the potential energy and cost savings, feasibility and financial options for expanding the use of solar power on state facilities.
2017		
2017	<i>Senate Bill 335 (Papen), pocket vetoed.</i>	Would have raised the resale value threshold for the disposition of certain tangible personal property and required approval for certain real property dispositions by the State Parks Division of the Energy, Minerals and Natural Resources Department, as well as requiring findings of fact and a recommendation by the Capitol Buildings Planning Commission and legislative and State Board of Finance approval for dispositions of certain real property with a value of more than \$200,000.

2018		
2018	Senate Bill 193 (Neville and J.A. Smith), Chapter 65.	<u>Not CBPC legislation</u> , but authorizes the issuance of state office building tax revenue bonds, appropriating up to \$20 million plus the cost of issuance of the bonds, to purchase a building in Bernalillo County to be operated by the Children, Youth and Families Department. The authorizing legislation allows for proceeds to be used for "required maintenance and repairs" on buildings in accordance with the State Building Bonding Act. The CBPC reviewed the proposed purchase authorized under the bill at its May 16, 2018 interim meeting and received an update on the purchase and renovation plans at the meeting on August 13, 2018.
2018	<i>Senate Bill 237 (Ingle), died.</i>	<u>Not CBPC legislation</u> , but would have provided additional authority to the Facilities Management Division of the General Services Department to acquire real property using unappropriated funds in the Property Control Reserve Fund contingent upon required review and approval or prior authorization of certain state agency real property transactions by the CBPC.
2018	Senate Joint Resolution 14 (Ingle, Pirtle) and House Joint Resolution 9 (Wooley, Nibert, Townsend and Ezzell).	<u>Not CBPC legislation</u> , but the resolutions ratify and approve the General Services Department's sale of state-owned real property located at 31 Gail Harris Street on the former Walker Air Force Base in Roswell.
2019		
2019	<i>Senate Bill 154 (Papen), pocket vetoed.</i>	<u>Not CBPC legislation</u> , but would have enacted the Public Property Disposition Act and provided powers and duties for state oversight agencies related to property disposition, procedures for disposition of tangible personal property and for the sale or donation of real property. The act would have established required approvals for certain dispositions, including a review by the CBPC in certain instances.

2019	Senate Bill 219 (Wirth and Egolf), Chapter 93.	<u>Not CBPC legislation</u> , but establishes a procedure under which the state and its municipalities and counties will commit to collaborate to preserve and protect the historic districts of New Mexico. The bill provides procedures for the application of the Historic District and Landmark Act to construction or renovation of state buildings and provides for the involvement of CBPC staff in developing required standards when requested by local governments. In addition, the bill provides for the appointment by the CBPC of a CBPC member to chair an eight-member state-local government historic review board, when needed, to resolve issues related to historic preservation.
2019	Senate Bill 533 (Papen), Chapter 171.	<u>Not CBPC legislation</u> , but establishes that the transfer of land and buildings of the Mesilla Valley Bosque State Park in Dona Ana County by the commissioner of public lands by quitclaim deed to the State Game Commission (SGC) in June 2018 was without required legislative approval and that the land and buildings of the Mesilla Valley Bosque State Park are not in excess of the reasonable needs of the State Parks Division (SPD) of the Energy, Minerals and Natural Resources Department (EMNRD). The bill requires that the SGC return the land and buildings as described to the EMNRD by quitclaim deed for use by the SPD as a state park.
2020		
2020	<i>Senate Joint Resolution 1 (Rodriguez), died.</i>	<u>Not CBPC legislation</u> , but would have approved the trade by the state to the City of Santa Fe of five tracts of state-owned real property located in Santa Fe for trade and sale by the city to the state of two tracts of city-owned real property.
2021		
2021	<i>None</i>	No pertinent legislation proposed in 2021.

2022		
2022	Senate Bill 212 (Rodriguez), Chapter 53.	<u>Not CBPC legislation</u> , but appropriates \$15 million to plan, design, construct, furnish and equip, including demolition of existing structures, an executive office building on the main capitol complex in Santa Fe in Santa Fe county, as part of a package of capital outlay appropriations.
2022	House Bill 2 (Lundstrom), Chapter 54.	<u>Not CBPC legislation</u> , but appropriates \$70 million to plan, design, construct, furnish and equip, including demolition of existing structures, an executive office building in Santa Fe in Santa Fe county for expenditure through fiscal year 2025.

Open Meetings Act Resolution

**Capitol Buildings Planning Commission
of the State of New Mexico**

June 14, 2011

Open Meetings Resolution

WHEREAS, the Capitol Buildings Planning Commission met in regular session on June 14, 2011 pursuant to statute; and

WHEREAS, Section 10-15-1(B) NMSA 1978 of the Open Meetings Act (Sections 10-15-1 through 10-15-4 NMSA 1978) states that, except as may be otherwise provided in the constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, council, commission or other policymaking body of any state agency held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings open to the public at all times; and

WHEREAS, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and

WHEREAS, Section 10-15-1(D) NMSA 1978 of the Open Meetings Act requires the Capitol Buildings Planning Commission to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED by the Capitol Buildings Planning Commission that:

1. All meetings shall be held at the State Capitol in Santa Fe, New Mexico, or as indicated on the meeting notice.
2. Regular meetings shall be held as determined at the call of the chair or co-chairs. All meetings will be held in the State Capitol unless notice of another location has been given. The agenda for each regular meeting will be available at least twenty-four hours prior to the meeting from the Legislative Council Service, whose office is located in Room 411 of the State Capitol in Santa Fe, New Mexico. Notice of any other regular meetings held at the call of the co-chairs will be held only after reasonable notice is given to the public. The notice shall indicate how a copy of the agenda may be obtained.
3. Special meetings may be called by the chair or co-chairs or by a majority of the members upon three days' notice. The notice shall include an agenda or information on how an

agenda may be obtained. The agenda must be available to the public at least twenty-four hours before any special meeting.

4. Emergency meetings will be called only under unforeseen circumstances that demand immediate action to protect the health, safety and property of citizens. The Capitol Buildings Planning Commission will avoid emergency meetings whenever possible. Emergency meetings may be called by the chair or co-chairs or by a majority of the members upon twenty-four hours' notice unless threat of personal injury or property damage requires less notice. The notice shall include an agenda or information on how the public may obtain a copy of the agenda.

5. For the purposes of regular, special and emergency meetings described in this resolution, notice requirements shall be met if notice of the date, time, place and agenda or information on how an agenda may be obtained is available at the Legislative Council Service and is posted on the legislative web site (www.nmlegis.gov).

6. For the purposes of emergency meetings described in Paragraph (4) of this resolution, notice requirements shall be met if available at the Legislative Council Service and posted on the legislative web site (www.nmlegis.gov), and oral or written notice of the date, time, place and general subject matter to be discussed at the meeting is given to the news media and to all affected entities as soon as it is practical.

7. In addition to the information specified above, all notices issued following the adoption of this resolution shall include the following language:

If you require special accommodations, such as a hearing interpreter, to participate in a meeting, please contact the Legislative Council Service at least five working days prior to the scheduled meeting day at (505) 986-4600 or by TDD phone at (505) 986-4653. Public documents from these meetings are available in alternative formats upon request.

8. If it is otherwise difficult or impossible for a member of the Capitol Buildings Planning Commission to attend any meeting in person and if necessary to achieve a quorum at such a meeting, members may participate in a meeting by means of a conference telephone or other similar communications equipment, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member who speaks during the meeting.

9. The Capitol Buildings Planning Commission may close a meeting to the public only if the subject matter of such discussion or action is exempted from the open meeting requirement under Section 10-15-1(H) NMSA 1978 of the Open Meetings Act.

(a) If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Capitol Buildings Planning Commission taken during the open meeting. The authority for the closure and the subjects to be discussed shall be stated with reasonable specificity in the motion for closure, and the vote on closure of each individual member shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in a closed meeting.

(b) If the decision to hold a closed meeting is made when the Capitol Buildings Planning Commission is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and the subjects to be discussed in reasonable specificity, is given to the members and to the general public.

(c) Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

(d) Except as provided in Section 10-15-1(H) NMSA 1978, any action taken as a result of discussions in a closed meeting shall be made by vote of the Capitol Buildings Planning Commission in an open public meeting.

Passed by the Capitol Buildings Planning Commission this 14th day of June, 2011.

Authorized Signature

Authorized Signature

Open Meetings Act Compliance Checklist

Open Meetings (§ 10-15-1 (B))

The Open Meetings Act applies to meetings of public bodies:

- At which a quorum of the members of the public body is present in person or by telephone; and
- During which the public body will formulate public policy, discuss public business or take action.

If the Open Meetings Act applies, the following checklist will help you comply with its requirements.

Notice Requirements (§ 10-15-1 (D) and (F))

Non-emergency meetings

- Reasonable advance notice of the meeting has been provided to the public (§ 10-15-1 (D)).
- The notice complies with the deadlines and procedures for meeting notices adopted by the public body under Section 10-15-1(D) of the Open Meetings Act.
- The notice includes the date, time and location of the meeting.
- The notice is published or posted in a place and manner accessible to the public.
- Notice has been provided to all FCC licensed broadcast stations and newspapers of general circulation that have provided a written request for notice of meetings (§ 10-15-1 (D)).
- The notice includes an agenda or information on how the public may obtain a copy of the agenda (§ 10-15-1 (F)).

Emergency Meetings

Under limited circumstances, an emergency meeting may be held with little advance notice if:

- The public body did not expect the circumstances giving rise to the meeting; and
- If the public body does not act immediately, injury or damage to persons or property or substantial financial loss to the public body is likely.

Meeting Agenda (§ 10-15-1 (F))

The meeting agenda should:

- _____ Include a list of specific items the public body intends to discuss or transact at the meeting.
- _____ Clearly describe agenda items that the public body intends to discuss or act on during the meeting in order to give adequate public notice.
- _____ Except for an emergency meeting, the agenda is available to the public at least 24 hours before the meeting.
- _____ Except for emergency matters, the public body takes action only on those items specifically listed on the agenda 24 hours before the meeting.

Telephonic Participation (§ 10-15-1 (C))

If a member of the public body participates in a meeting by telephone:

- _____ There must be a law or a rule of the public body authorizing its members to participate by conference telephone or similar communications equipment; and
- _____ It must be “difficult or impossible” for that member to attend the meeting in person; and
- _____ Each member participating telephonically can be identified when speaking, all participants are able to hear each other at the same time, and members of the public attending the meeting are able to hear any member of the public body who speaks during the meeting.

Closed Meetings – Permissible Subjects (§ 10-15-1 (H))

If a public body wishes to hold a closed meeting, it may do so only to engage in one or more of the following:

- _____ Deliberations about the issuance, suspension, renewal or revocation of a license (§ 10-15-1(H)(1)).
- _____ Discussion of the hiring, promotion, demotion, dismissal, assignment or resignation of a public employee, or the investigation or consideration of complaints or charges against a public employee (§ 10-15-1(H)(2)).
- _____ Deliberations in connection with an administrative adjudicatory proceeding held by the public body (§ 10-15-1(H)(3)).
- _____ Discussion of personally identifiable information about an individual student (§ 10-15-1(H)(4)).
- _____ Discussion of collective bargaining strategy prior to negotiations between a public body and a union representing employees of the public body; collective bargaining sessions involving the

public body and union (§ 10-15-1(H)(5)); and consultations and impasse resolution procedures at which the public body and the union are present (§ 10-7E-17(G) of the Public Employee Bargaining Act).

_____ Discussion of a sole source purchase that exceeds \$2,500 or of the contents of competitive sealed proposals during the contract negotiation process (§ 10-15-1(H)(6)).

_____ Meeting with the public body's attorney pertaining to threatened or pending litigation in which the public body is or may become a participant (§ 10-15-1(H)(7)).

_____ Discussion of the purchase, acquisition or disposal of real property or water rights (§ 10-15-1(H)(8)).

_____ For committees or boards of public hospitals only, discussion of strategic or long-range business plans or trade secrets (§ 10-15-1(H)(9)).

_____ For the Gaming Control Board only, a meeting that deals with information made confidential by the Gaming Control Act (§ 10-15-1(H)(10)).

Closed Sessions – Procedures (§ 10-15-1(I))

To properly close a portion of an open meeting, the following actions must be taken:

_____ A motion stating the specific provision of law authorizing the closed meeting and a reasonably specific description of the subject to be discussed.

_____ A roll call vote on the motion to close the meeting in the open session, where the vote of each member is to be recorded in the minutes.

_____ Only the matters stated in the motion to close are discussed in the closed session.

_____ Generally, action on an item discussed in a closed session must be taken in an open meeting (§ 10-15-1 (H)).

_____ After a closed meeting is completed, a statement affirming that the matters discussed in the closed meeting were limited to those stated in the motion to close is recorded in the minutes (§ 10-15-1 (J)).

For closed meetings of a public body held separate from an open meeting, the above criteria apply except:

_____ Instead of a motion to close, appropriate public notice is provided that includes the specific provision of law authorizing the closed meeting and a reasonably specific description of the subject to be discussed (§ 10-15-1 (I)(2)).

_____ Following completion of the closed meeting, a statement is entered into the minutes of the next open meeting specifying that the matters discussed in the closed meeting were limited to those stated in the notice of the closed meeting (§ 10-15-1 (J)).

Meeting Minutes (§ 10-15-1 (G))

If the meeting is open, written minutes are required. Minutes must contain at least:

- _____ The date, time and place of the meeting; and

- _____ The names of all members of the public body attending the meeting and of those members who are absent; and

- _____ A description of the substance of all proposals considered during the meeting; and

- _____ A record of any decisions made and votes taken that shows how each member voted (voting by secret ballot is not permitted).

The following also applies to meeting minutes:

- _____ A draft copy of the minutes is prepared within 10 working days of the public meeting.

- _____ The minutes are approved, amended or disapproved at the next meeting where a quorum of the public body is present.

- _____ All minutes are made available for public inspection.

Public Comment Procedure

PUBLIC COMMENT PROCEDURE FOR THE CAPITOL BUILDINGS
PLANNING COMMISSION (Adopted December 16, 2009)

The commission will provide a sign-up sheet for individuals or entities requesting to make public comment in meetings. If there are several persons in one group, they should designate a representative from the group to comment. The commission may limit the time for individual public comment.

List of Online Resources

Capitol Buildings Planning Commission (CBPC)

Capitol Buildings Master Plan (CBMP) - Documents and Presentations

Available online at www.nmlegis.gov/lcs/cbpc_cbmp.aspx

Document Title	Date	URL	Contents/ Topics
2011 Life-Cycle Cost Analysis (LCCA) Tool	27 November 2011	https://arcforms.info/lcca/index.php	<ul style="list-style-type: none"> Link to web-based LCCA (Life-Cycle Cost Analysis) tool for use by state agency representatives preparing Lease-Purchase proposals. This tool is intended to assist agency representatives in successfully preparing documents for any Lease-Purchase Agreements brought before the Capitol Buildings Planning Commission for review.
Area Plan Strategy Updates and Implementation Strategies for Asset Management	8 November 2011	http://www.nmlegis.gov/sessions/InterimCommittees/CBPC/CBPC110811StrategyUpdatesandAssetManagement.pdf	<ul style="list-style-type: none"> Review of current area plan strategies for each Area Plan (Santa Fe Area, Albuquerque Area, Las Cruces Area and the Statewide Inventory). Implementation strategies for asset management; includes cost for a condition assessment.
Deferred Maintenance: Asset Management Best Practices	11 October 2011	http://www.nmlegis.gov/sessions/InterimCommittees/CBPC/CBPC101111v5ebook.pdf	<ul style="list-style-type: none"> Asset Management Framework Summary of State of New Mexico Facility Conditions and Magnitude of Capital Facilities Renewal Needs Best practices in Other States Recommendations / Next Steps
Acquisition and Disposal of Properties: Planning Activities Observations	29 August 2011	http://www.nmlegis.gov/lcs/handouts/CBPC82911v6.pdf	<ul style="list-style-type: none"> Overview of the magnitude of Deferred Maintenance in the State of New Mexico. Overview of best practices for acquisition and disposal of properties as compared to current practices of the State of New Mexico.
Capitol Buildings Planning Commission Reference Materials	June 2011	All files can be found at the following contents page: http://www.nmlegis.gov/lcs/cbpc_cbmp_bind_er_contents62011.aspx	<p>Updated Capitol Buildings Planning Commission reference materials including:</p> <ol style="list-style-type: none"> Table of Contents and List of Abbreviations Membership and Staff Contact Information Introduction to the CBPC - A primer on the history, authority, and jurisdiction of the CBPC Statutes - Full legal text of all state statutes relating to and governing the CBPC Master Planning Principles - A compilation of the planning principles that guide the CBPC's decisions Santa Fe Metropolitan Area Plan Albuquerque Metropolitan Area Plan Las Cruces Metropolitan Area Plan <p>(Each area plan includes history of area plan, implementation strategies, planning issues and opportunities, location maps, existing campus site plans and implementation plans)</p> <ol style="list-style-type: none"> Statewide Inventory - Overview of the current inventory of state-occupied space Appendices - Various support documents including CBPC Background, History of CBPC legislation, Open Meetings Act Resolution, Public Comment Procedure, List of Online Resources and other materials.
Capitol Buildings Master Plan Planning Principles	3 February 2011	http://www.nmlegis.gov/sessions/InterimCommittees/CBPC/master%20planning%20principles%20recompiled%20020311.pdf	<ul style="list-style-type: none"> Overview of CBMP high-level planning principles applicable to all planning efforts statewide. CBMP location principles for current and future planning areas.

Capitol Buildings Planning Commission (CBPC)

Capitol Buildings Master Plan (CBMP) - Documents and Presentations

Available online at www.nmlegis.gov/lcs/cbpc_cbmp.aspx

Document Title	Date	URL	Contents/Topics
2010 Lease-Purchase Agreement Review Process Guidance Document Last Revision 12/2010	16 December 2010	http://www.nmlegis.gov/Sessions/InterimCommittees/CBPC/CBPC%20LCCA%20Ver%20Adopted.pdf	<ul style="list-style-type: none"> Lease-Purchase Agreement Review Process Guidance Document Adopted December 16, 2010
Board of Finance Approval of Las Soleras Land Acquisition Agreement - November 16, 2010	CBPC - 16 December 2010 BOF - 16 November 2010	http://www.nmlegis.gov/Sessions/InterimCommittees/CBPC/AL%20Final%20for%20BOF%20111610%20HHS%20Complex%20Site%20Selection%20Presentation.pdf	<ul style="list-style-type: none"> Ten (10) slide presentation presented to BOF by GSD Secretary for final approval of all terms of the Las Soleras Land Acquisition Agreement.
HHSD COMPLEX Project Analysis Justification for Proceeding in Current Economic Climate	CBPC - 16 December 2010 BOF - 16 November 2010	http://www.nmlegis.gov/Sessions/InterimCommittees/CBPC/101609_HHS_SUPER_COMPLEX_for_CBPC_092709.pdf	<ul style="list-style-type: none"> Presentation prepared by GSD and presented by GSD Secretary at both Nov 15 CBPC and Nov 16 BOF meetings. Presentation includes review of three key project goals: <ol style="list-style-type: none"> 1- Save Money 2- "Down Economy" Savings Opportunities 3- Gains in Time Efficiency and Productivity
Capitol Buildings Master Plan / HHS Sites Evaluation Summary	November 2010 CBPC - 16 December 2010	http://www.nmlegis.gov/Sessions/InterimCommittees/CBPC/HHS_Site_Eval_Summary_Nov2010%20(3).pdf	<ul style="list-style-type: none"> Three (3) slide presentation prepared by ARC at the request of GSD Secretary summarizing all 16 sites considered for HHS. Slide 1 is cover / Slide 2 is location map / Slide 3 is consolidated scoring matrix for all 16 sites. This presentation was not presented to CBPC.
Feasibility Study and Master Planning for Children Youth and Families Department - Project Summary August 02, 2010	20 September 2010	http://www.nmlegis.gov/Sessions/InterimCommittees/CBPC/Feasibility%20Study%20and%20Master%20Planning%20for%20the%20CYFD%2008.06.10.pdf	<ul style="list-style-type: none"> Project Summary for CYFD planning document commonly referred to as the "Cambiar Study". Report includes both feasibility study and master planning for implementation of the Cambiar Model of service provision for CYFD/Juvenile Justice.
Cambiar Study Review Comments	20 September 2010	http://www.nmlegis.gov/Sessions/InterimCommittees/CBPC/CBPC_09_20_10v0-Cambiar_ReviewV2.pdf	<ul style="list-style-type: none"> One page summary of CBPC staff review comments comparing Capitol Buildings Master Plan Recommendations with Cambiar Study Recommendations.
1.5.21 NMAC	Effective 1 January 2011	http://www.nmlegis.gov/Sessions/InterimCommittees/CBPC/GSD%20Rule.%20State%20Agencies%20Lease%20Purchasing%20of%20Real%20Property.pdf	<ul style="list-style-type: none"> Full NMAC text for GSD/PCD Rule describing process for Lease-Purchase of Real Property for all executive branch agencies except for the State Land Office. Presentation includes 4.5 pages of text and two attached graphic process flow charts.
State of New Mexico South Capitol Campus	10 August 2010	http://www.nmlegis.gov/Sessions/InterimCommittees/CBPC/FINALmasterplan.pdf	<ul style="list-style-type: none"> Final South Capitol Campus Master Plan An overview of this document was presented to CBPC at August 10, 2010 CBPC meeting.

Capitol Buildings Planning Commission (CBPC)

Capitol Buildings Master Plan (CBMP) - Documents and Presentations

Available online at www.nmlegis.gov/lcs/cbpc_cbmp.aspx

Document Title	Date	URL	Contents/Topics
2009			
Capitol Buildings Master Plan Findings and Recommendations: State Records Center and Archives (SRCA) - November 16, 2009 (updated 3.18.10)	CBPC - 16 November 2009 Commission of Public Records - 15 June 2010	http://www.nmlegis.gov/Sessions/InterimCommittees/CBPC/CBPC_SRCA_11_16_09_v5_followup-noPlans[]].pdf	<ul style="list-style-type: none"> Final SRCA Report presented by ARC to CBPC on November 16, 2009. Updated on 3/18/10 and presented to Commission of Public Records on June 15, 2010. The study explored long-range needs of the SRCA statewide, identified space requirements for projected demand, identified capacity of existing facilities to meet projected demand, and identified alternatives and strategies to meet long term SRCA needs.
Capitol Master Plan Activities Update	23 September 2009	http://www.nmlegis.gov/Sessions/InterimCommittees/CBPC/CBPC_09_23_09v5.pdf	<ul style="list-style-type: none"> Update on Statewide Inventory and status of SRCA Study. Supplemental Information on potential HHS sites (NMSD removed, Zia Station MP, NMS599 surroundings & infrastructure)
Capitol Master Plan New HHS Site Opportunities	19 August 2009	http://www.nmlegis.gov/Sessions/InterimCommittees/CBPC/CBPC_08_19_09v1b.pdf	Supplemental information on NMSD and Otero properties (Caja del Rio)
Capitol Master Plan Additional Santa Fe Campus	23 June 2009	http://www.nmlegis.gov/Sessions/InterimCommittees/CBPC/CBPC_6_23_09v9.pdf	<ul style="list-style-type: none"> Summary review by CBPC staff of need for a new campus Site selection Criteria Identification of sites considered (14) and scoring exercise for 8 of the 14 sites
Capitol Master Plan Statewide Inventory (revised)	6 May 2009	http://www.nmlegis.gov/Sessions/InterimCommittees/CBPC/CBPC_05_06_09v5.pdf	<p>Statewide Inventory overview, including:</p> <ul style="list-style-type: none"> Data sources Summary of owned and leased space Summary of space provided by counties Barriers and Preliminary Recommendations
Capitol Master Plan Santa Fe Area Overview	13 January 2009	http://www.nmlegis.gov/Sessions/InterimCommittees/CBPC/Santa_Fe_Campuses%20Jan%202009%20VI.pdf	<ul style="list-style-type: none"> Overview of Master Plan Background Information Overview of current status of existing Santa Fe campuses including what has changed and issues Discussion on potential new Campus for HHS
2008			
Capitol Master Plan Status Update	17 December 2008	http://www.nmlegis.gov/Sessions/InterimCommittees/CBPC/CBPC_Dec_17_08v2.pdf	<p>Planning strategies for the Capitol Campus:</p> <ul style="list-style-type: none"> Presentation of Capitol Campus Space Planning Study with Existing Building Use 5-year planning period activities for Capitol Campus agency relocations Capitol Campus Profile at end of 5-year period Critical Path for EOB and HHS in support of completing 5-year plan. Initial Las Cruces Supply and Demand Analysis, Recommendations and Next Steps
Capitol Buildings Master Plan South Capitol	5 June 2008	http://www.nmlegis.gov/Sessions/InterimCommittees/CBPC/CBPC%206_05_08v5.pdf	<p>Summary of 1999 adopted MP guidance for South Capitol Complex, discussion of changes since plan was adopted and previous ARC recommendations. Additional discussion includes:</p> <ul style="list-style-type: none"> Development options for use by the HHS Complex or other projects including use of both GSD/DOT land, just GSD land, Discussion on consequences of not using DOT land and possible implementation plan.

Capitol Buildings Planning Commission (CBPC)

Capitol Buildings Master Plan (CBMP) - Documents and Presentations

Available online at www.nmlegis.gov/lcs/chpc_cbmp.aspx

Document Title	Date	URL	Contents/Topics
2005			
State of New Mexico Capitol Buildings Master Plan Capitol Buildings Planning Commission, December 2, 2005	2 December 2005	http://www.nmlegis.gov/Sessions/InterimCommittees/CBPC/MasterPlanUpdate-December2005.pdf	<ul style="list-style-type: none"> • Santa Fe Area status update • Albuquerque Area status update • Discussion of potential transition of master planning support to GSD/PCD
State of New Mexico Capitol Buildings Master Plan Super Complex Overview	3 August 2005	http://www.nmlegis.gov/Sessions/InterimCommittees/CBPC/CapBldgsMasterPlan8-3-05.pdf	<p>Initial Discussion of the Super Complex Concept</p> <ul style="list-style-type: none"> • Goals • Occupants • Concepts <p>NOTE: The Super Complex is referred to in more recent documents as the HHS (Health and Human Services) Complex. Numerous documents pertaining to this project can be found in 2008, 2009 and 2010 CBPC documents and presentations.</p>
2003			
State of New Mexico Capitol Buildings Master Plan Albuquerque Area Overview Briefing	16 June 2003	http://www.nmlegis.gov/Sessions/InterimCommittees/CBPC/MasterPlanUpdate-June2003.pdf	<ul style="list-style-type: none"> • Initial supply and demand analysis for Albuquerque • First look at location of leased and owned facilities in Albuquerque Metro Area • Projected population growth in Metro Area <p>NOTE: This material dates to 2003. See December 2005 documents for more comprehensive Albuquerque Area analysis and planning materials.</p>
2002			
State of New Mexico Capitol Buildings Master Plan Recommended Short-Term Moves	23 May 2002	http://www.nmlegis.gov/Sessions/InterimCommittees/CBPC/CapitolShortTermMoves-11-02.pdf	<ul style="list-style-type: none"> • Adopted Location Principles for Santa Fe • Demand Factors • Supply Factors • Move Recommendations <p>NOTE: This material dates to 2002. Some recommended short and long-term moves presented in this document have been implemented and some have been superseded by more recent planning.</p>
2000			
State of New Mexico Space Standards	October 2000	http://www.nmlegis.gov/Sessions/InterimCommittees/CBPC/SpaceStandards.pdf	<p>State space standards</p> <ul style="list-style-type: none"> • Office layout prototypes <p>NOTE: This material dates to 2000. See Statewide Inventory presentation (May 2009) for more recent and more comprehensive spacedata.</p>
State of New Mexico Capitol Buildings Master Plan Briefing to the Legislative Finance Committee	9 January 2000	http://www.nmlegis.gov/Sessions/InterimCommittees/CBPC/MasterPlan-Jan2000.pdf	<ul style="list-style-type: none"> • Existing space use • Leased vs. Owned space • Projected Space Demand • Policies and guidelines

Other Materials