



Capitol Buildings Planning Commission

2012 INTERIM REPORT

*Legislative Council Service
411 State Capitol
Santa Fe, New Mexico 87501
www.nmlegis.gov*

**CAPITOL BUILDINGS
PLANNING COMMISSION**

2012

INTERIM REPORT

CAPITOL BUILDINGS PLANNING COMMISSION

2012 INTERIM REPORT

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**A. STATUTORY
AUTHORITY**

15-10-1. Capitol buildings planning commission created.

A. The "capitol buildings planning commission" is created. The commission shall be composed of four members of the legislature, two from each house, appointed by the New Mexico legislative council, the secretary of general services or the secretary's designee, the state treasurer or the state treasurer's designee, the secretary of transportation or the secretary's designee, the secretary of cultural affairs or the secretary's designee, the secretary of finance and administration or the secretary's designee, the commissioner of public lands or the commissioner's designee and the chair of the supreme court building commission or the chair's designee.

B. The commission shall:

(1) study and plan for the long-range facilities needs of state government in the greater metropolitan areas of Las Cruces, Santa Fe and Albuquerque and, after developing an initial master plan for the state facilities in those areas, conduct a review of state properties throughout the state for the development of an overall master plan;

(2) review proposed lease-purchase agreements pursuant to Section 15-10-2 NMSA 1978;

(3) work with the general services department and other state agencies in developing recommendations for addressing deferred maintenance on state facilities and disposal strategies for aging facilities no longer able to serve their mission; and

(4) utilizing life cycle costing, work with the general services department in developing recommendations regarding whether the state should lease, lease-purchase or purchase needed additional facilities.

C. The legislative council service shall provide staff for the commission in coordination with the staff architect and other staff of the property control division of the general services department.

D. The commission shall meet regularly and shall report annually to the legislature on an annual update of the master plan for the long-range facilities needs of state government in the greater metropolitan areas of Las Cruces, Santa Fe and Albuquerque and throughout the state.

History: Laws 1997, ch. 178, § 5; 2002, ch. 69, § 1; 2003, ch. 110, § 1; 2007, ch. 64, § 1; 2009, ch. 19, § 1.

15-10-2. Capitol buildings planning commission; review of lease-purchase agreements.

A. Before submitting a proposed lease-purchase agreement to the legislature for ratification and approval pursuant to Section 15-3-35 NMSA 1978, the proposed lessee shall notify the commission. The commission shall review a proposed lease-purchase agreement if:

(1) the total lease revenues to be generated during the term of the lease-purchase agreement, including any possible extensions or renewals, exceed five million dollars (\$5,000,000); or

(2) pursuant to criteria adopted by the commission, the commission selects the lease-purchase agreement for review.

B. A review conducted pursuant to this section shall include findings by the commission as to whether:

(1) the leasehold property and the term of the lease-purchase agreement are sufficient to meet the identified needs of the state agency that will occupy the leasehold property;

(2) the payment of all lease revenues due pursuant to a lease-purchase agreement will be sufficient, at the end of the term of the lease-purchase agreement, to acquire ownership of the leasehold property;

(3) the lease-purchase agreement provides that there is no legal obligation for the state or state agency to continue the lease-purchase agreement from year to year or to purchase the leasehold property, and that the lease-purchase agreement shall be terminated if sufficient appropriations are not available to meet the current lease payments; and

(4) the lease-purchase agreement is the most cost-effective alternative for acquiring the leasehold property, taking into account currently available alternative lease arrangements, lease-purchase agreements or other financing arrangements permitted by law.

C. After a review pursuant to this section, the commission shall submit its findings and recommendations to the legislature.

D. As used in this section:

(1) "commission" means the capitol buildings planning commission;

(2) "facilities" means buildings and the appurtenances and improvements associated therewith, including the real estate upon which a building is constructed; suitable parking for use of the building; utilities, access roads and other infrastructure; and related real estate. "Facilities" can also mean undeveloped or developed real estate that is transferred or leased with the intent that a new building or improvement be constructed thereon;

(3) "lease-purchase agreement" means a financing agreement for the leasing of facilities by the state or a state agency from a public or private entity with an option to purchase the leasehold property for a price that is reduced according to the payments made pursuant to the financing agreement;

(4) "leasehold property" means facilities that are subject to a lease-purchase agreement;

(5) "lease revenues" means the amounts payable pursuant to a lease-purchase agreement; and

(6) "state agency" means any department, branch, institution, board, officer, bureau, instrumentality, commission, district or committee of government of the state of New Mexico except:

(a) the state armory board;

(b) the commissioner of public lands;

(c) state institutions under the jurisdiction of the higher education department;

(d) the economic development department when the department is acquiring property pursuant to the Statewide Economic Development Finance Act [6-25-1 NMSA 1978];

(e) the public school facilities authority when the authority is acquiring property pursuant to the Public School Capital Outlay Act [22-24-1 NMSA 1978]; and

(f) a state-chartered charter school.

History: 1978 Comp., §15-20-2, as enacted by Laws 2009, ch. 19, §2.

B. MEMBERSHIP

MEMBERSHIP

The Capitol Buildings Planning Commission (CBPC) is an intergovernmental agency created in 1997 to conduct long-range facilities master planning for all state agencies in Santa Fe. Over the years, its master planning jurisdiction has been expanded to include the major metropolitan areas of New Mexico and an inventory of all state facilities for the development of a statewide master plan (Section 15-10-1 NMSA 1978). Since its inception, the commission has developed metropolitan area master plans and endorsed legislation to study and finance the construction of state government facilities in New Mexico. Recently, the CBPC developed guidance materials for the review process of lease-purchase financing agreements for the construction of state facilities.

Additionally, the CBPC works with the General Services Department (GSD) and other state agencies in developing recommendations for addressing deferred maintenance on state facilities and disposal strategies for aging facilities that are no longer able to serve their mission. Using life-cycle costing, the CBPC works with the GSD in developing recommendations regarding whether the state should lease, lease-purchase or purchase needed additional facilities.

The commission is composed of 11 members:

- four members of the legislature, two from each house appointed by the New Mexico Legislative Council;
- the secretary of general services;
- the state treasurer;
- the secretary of transportation;
- the secretary of cultural affairs;
- the secretary of finance and administration;
- the chair of the Supreme Court Building Commission; and
- the commissioner of public lands.

Each of the nonlegislative members may name a designee to serve in the member's place. Representative Ben Lujan, speaker of the house of representatives, and Edwynn L. Burckle, secretary of general services, co-chaired the commission during the 2012 interim.

The actual commission members who served during the 2011 interim, in addition to Secretary Burckle and Speaker Lujan, include Senator Timothy Z. Jennings, president pro tempore of the senate; Senator Stuart Ingle, senate minority floor leader; Representative Thomas C. Taylor, house minority floor leader; Tom Clifford, secretary of finance and administration; Veronica N. Gonzales, secretary of cultural affairs; Alvin C. Dominguez, secretary of transportation; Ray Powell, commissioner of public lands, with Elaine Olah serving as the commissioner's designee; Petra Jimenez Maes, chief justice of the New Mexico Supreme Court, with Patrick Simpson, deputy director of the Administrative Office of the Courts, serving as the chief justice's designee; and James B. Lewis, state treasurer, with Clarence Smith serving as the treasurer's designee.

The CBPC does not have a budget; however, the Legislative Council Service (LCS) provides staff for the commission in coordination with the staff architect and other Property Control Division (PCD) staff. Contract master planners, coordinated by the staff and directed by the commission, provide primary master planning services.

The commission meets primarily during the interim months, convening after the close of the legislative session.

C. OPEN MEETINGS RESOLUTION

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

May 8, 2012

Open Meetings Resolution

WHEREAS, the Capitol Buildings Planning Commission met in regular session on May 8, 2012 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.

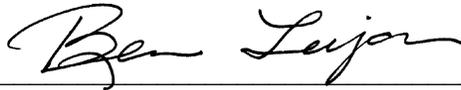
(a) If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Capitol Buildings Planning Commission taken during the open meeting. The authority for the closure and the subjects to be discussed shall be stated with reasonable specificity in 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 8th day of May, 2012.



Authorized Signature

Authorized Signature

D. 2012 INTERIM SUMMARY

2012 INTERIM SUMMARY

The Capitol Buildings Planning Commission (CBPC) met three times between May and December 2012. Additionally, multiple staff and consultant workshops and meetings were conducted to address master planning, asset management, the statewide inventory database and more. Public and state agency input was received throughout the interim during meetings of the commission. Periodic updates were provided by the Property Control Division (PCD) of the Taxation and Revenue Department, the Cultural Affairs Department (CAD) and other agencies about capital projects, renovations, acquisitions and agency office leases.

Facilities Master Planning

Master planning opportunities are continuously being explored by the commission and its staff in collaboration with state agencies, including achieving an appropriate balance of owned-versus-leased space; assessing the needs of state agencies housed in local government-provided facilities; developing a comprehensive database of state agency facilities and related assets, such as water rights and vacant lands; addressing the ongoing problem of deferred maintenance in state-owned facilities; identifying state employee full-time-equivalency (FTE) counts associated with each facility and location; instituting policies for state agencies to complete government collaboration in developing state projects in historic districts and addressing historic preservation issues for state facilities; and integrating sustainable planning concepts into the master plans.

Master plans developed by master planning consultants are available on the legislative web site, www.nmlegis.gov. In order to further the master planning goals of the commission, the CBPC authorized the master planning consultants to conduct an inventory of all state-owned facilities. The consultants compiled the information in a database, accessible to CBPC members through a web application. The consultants demonstrated the web application to the commission at the July 30 meeting. The commission gave consultants and staff permission to share access to the web application with state agencies. Consultants, in conjunction with CBPC staff, held a demonstration for state agencies. Staff then sent individual spreadsheets to each of the agencies for verification of information. Agencies were also asked to provide FTE information for each of their facilities. At the end of the 2012 interim, the consultants were working on compiling additional information received from each of the agencies in order to update the statewide inventory database. Staff will continue to update the statewide inventory database in 2013.

Deferred Maintenance, Asset Management Best Practices and Implementation Strategies

The commission heard presentations about deferred maintenance and facilities renewal that underscored how delaying maintenance for a period of time can evolve into a capital expense far exceeding the cost for a timely repair or maintenance issue. Staff members noted the importance of having a plan in place for the renovation or demolition of older properties prior to the relocation of staff acquisitions by and donations to the state of real properties before governmental entities assume ownership, especially when those properties may cause the state to incur considerable operational or maintenance costs in the future.

Based on a review of previous, but dated, facility condition assessments and comparisons with other condition assessments, a very preliminary figure in current dollars of \$1.4 billion was estimated to be the cost of needed facility renewals (without higher education), with as much as

an additional \$2 billion estimated for higher education. It was projected that 10 percent to 20 percent of the needs are high priority, with amounts of \$144 million to \$288 million (without higher education) and an additional \$209 million to \$418 million for higher education.

During the prior interim, the following recommended action items were presented to the commission:

1. adopt a strategic asset management mode, which would include completing an inventory and database of state facilities and sites;
2. conduct a comprehensive and consistent assessment of state facilities;
3. prepare departmental and agency master plans linked to strategic plans;
4. centralize facility ownership and management of state facilities;
5. prepare a statewide plan that encompasses owned and leased facilities; and
6. identify a dedicated source of revenue for capital facilities renewal.

Upon direction from the commission, CBPC staff and consultants worked on the first two recommendations throughout the 2012 interim and will continue to work on those items in 2013.

2012 Legislation

During the 2012 interim, the CBPC discussed the initiatives proposed in Senate Bill 83, which was introduced in 2012 and sponsored by Senator Stuart Ingle and would have required all state agencies, as well as the judicial and legislative branches, to create statewide master plans and would have appropriated \$1 million to the PCD for the purpose of assisting state agencies with facility master plans as well as \$2.3 million to the Capital Program Fund to conduct a facility condition assessment of all state facilities. Governor Martinez vetoed SB 83, then signed Executive Order 2012-023, which requires state agencies to submit five-year facilities master plans, but does not address judicial or legislative facilities and does not address funding for planning.

E. 1997-2012 BACKGROUND

CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)

Background of the CBPC (1997-2012)

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 fiscal year (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. The 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. The life-cycle cost analysis tool was developed and is in a testing phase.

In 2011, the commission extensively discussed the need for master planning of state facilities by state agencies. **Senate Bill 83** was introduced in the 2012 regular session, but it was pocket vetoed by the governor. Similar measures were implemented by Executive Order 2012-023. During the 2011 interim, the commission also discussed the importance of creating a complete inventory of state facilities. Staff was directed to begin collecting information about building and land assets for each of the state agencies and entities. In 2012, the State of New Mexico Inventory of Facilities and Properties was presented to the commission. Information in the inventory was sent to each state entity for verification. The inventory can be accessed through a web application, which allows the data to be browsed or searched and exported by users. The inventory is not currently available to the public, pending verification of information.

**F. HISTORY OF LEGISLATION
RELATING TO THE CAPITOL
BUILDINGS PLANNING
COMMISSION 1997-2012**

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2012**

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	SJR 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.

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2012**

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.)

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2012**

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.

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2012**

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.

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2012**

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 a CBPC bill</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		

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2012**

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>

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2012**

<p>2007</p>	<p>Senate Bill 1061 (Ingle), Chapter 64.</p>	<p>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.</p>
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**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2012**

2007	House Bill 1137 (B. Lujan), Chapter 192.	<u>Not a CBPC bill</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.

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2012**

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.

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2012**

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.

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2012**

2009	Senate Bill 220 (Ingle), Chapter 19. Amended Section 15-10-1 NMSA 1978 and enacted a new Section 15-10-2 NMSA 1978.	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.
2009	HTRC/House Bill 360 (B. Lujan), Chapter 23. Enacted a new Section 3-22-6 NMSA 1978.	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.
2009	<i>House Bill 194 (Taylor), failed.</i>	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.
2009	<i>Senate Joint Resolution 7 (M. Sanchez) and Senate Bill 546 (M. Sanchez), failed.</i>	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.

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2012**

2009	HTRC/House Bill 154, Chapter 125.	<p><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).</p>
2009	House Joint Resolution 19 (Park).	<p><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.</p>
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

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2012**

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).

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2012**

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.

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2012**

<p>2011</p>	<p><i>SFC/Senate Bill 218 (Cisneros), failed.</i></p>	<p><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).</p>
<p>2011</p>	<p>House Memorial 52 (Maestas).</p>	<p><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.</p>

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2012**

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.

G. AGENDAS

**TENTATIVE AGENDA
for the
FIRST MEETING
of the
CAPITOL BUILDINGS PLANNING COMMISSION**

**May 8, 2012
Room 311, State Capitol
Santa Fe**

Tuesday, May 8

- 1:30 p.m. **Call to Order; Approval of Agenda**
—Representative Ben Lujan, Speaker of the House
—Secretary Edwynn L. Burckle, General Services Department (GSD)

Introductions: New Member and New Staff

Action Items:

- Adoption of 2012 Open Meetings Resolution***
Adoption of December 6, 2011 Minutes
Adoption of 2011 Interim Report

Commission Staff Reports; 2012 Legislative, Contract and Project Updates

- Roxanne Knight, Commission Staff, Legislative Council Service
—Chuck Gara, Director, Property Control Division (PCD), GSD
—Lemoyne Blackshear, Staff Architect, PCD, GSD

- 2:00 p.m. **Statewide Inventory — Preliminary Report**
—John Petronis, Commission Facilities Planner, Architectural Research
 Consultants (ARC)
—Andy Aguilar, Commission Facilities Planner, ARC

3:15 p.m. ***Action Items:***

- 1) Review of Strategic Facility Planning Process and Next Steps in the
 Process; Commission Discussion***
 —Commission Facilities Planners
 —Commission Staff
2) Additional Directions to Staff

Public Comment

2012 Tentative Meeting Dates: Mid-July; September; November

Adjourn

Revised: July 27, 2012

**TENTATIVE AGENDA
for the
SECOND MEETING
of the
CAPITOL BUILDINGS PLANNING COMMISSION**

**July 30, 2012
Room 311, State Capitol
Santa Fe**

Monday, July 30

1:30 p.m. **Call to Order; Approval of Agenda**
—Secretary Edwynn L. Burckle, General Services Department (GSD)
—Representative Ben Lujan, Speaker of the House

Action Items: Adoption of May 8, 2012 Minutes

Presentation of Statewide Inventory Database
—John Petronis, Commission Facilities Planner, Architectural Research
Consultants (ARC)
—Andy Aguilar, Commission Facilities Planner, ARC

Action Items: Staff Authorization to Share Data

Commission Staff Reports:
1-Contract; 2-Executive Order; 3-Subcommittee Appointments; 4-GSD/PCD
Regional Project Updates
—Roxanne Knight, Commission Staff, Legislative Council Service
—Chuck Gara, Director, Property Control Division (PCD), GSD
—Lemoyne Blackshear, Staff Architect, PCD, GSD

Action Items: Directions to Staff

4:00 p.m. **Public Comment**

**Future Meetings: October 4 — Possible Rescheduling to October 18 or 19;
November 19**

Adjourn

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.

**TENTATIVE AGENDA
for the
THIRD MEETING
of the
CAPITOL BUILDINGS PLANNING COMMISSION**

**December 11, 2012
Room 311, State Capitol
Santa Fe**

Tuesday, December 11

- 1:30 p.m. **Call to Order; Approval of Agenda**
—Secretary Edwynn L. Burckle, General Services Department (GSD), and
Representative Ben Lujan, Speaker of the House, Co-Chairs
- 1:35 p.m. **Adoption of July 30, 2012 Minutes**
- 1:40 p.m. **Strategic Asset Management Goals and Activities**
—Chuck Gara, Property Control Division (PCD), GSD
—John Petronis, Commission Facilities Planner, Architectural Research
Consultants (ARC)
—Andy Aguilar, Commission Facilities Planner, ARC
- 2:30 p.m. **ARC Status Update on Planning Activities**
—John Petronis, Commission Facilities Planner, ARC
—Andy Aguilar, Commission Facilities Planner, ARC
- 3:00 p.m. **GSD/PCD Updates and Potential Legislation**
—Chuck Gara, Director, PCD, GSD
- 3:30 p.m. **Infrastructure Capital Improvement Plan Updates**
—Chuck Gara, Director, PCD, GSD
- 4:00 p.m. **Cultural Affairs Department Capital Outlay Needs**
—Veronica Gonzales, Secretary, Cultural Affairs Department
- 4:30 p.m. **Scheduling Future Meetings; Directions to Staff**
- 4:40 p.m. **Public Comment**
- 5:00 p.m. **Adjourn**

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H. MINUTES

**MINUTES
of the
FIRST MEETING IN 2012
of the
CAPITOL BUILDINGS PLANNING COMMISSION**

**May 8, 2012
Room 311, State Capitol
Santa Fe**

The first meeting of the Capitol Buildings Planning Commission (CBPC) in 2012 was called to order by Secretary of General Services Edwynn L. Burckle, co-chair, on Tuesday, May 8, 2012, at 1:40 p.m. in Room 311 of the State Capitol in Santa Fe.

Present

Edwynn L. Burckle, Secretary of General Services, Co-Chair
Rep. Ben Lujan, Speaker of the House, Co-Chair (participating via conference call)
Tom Church, designee for Alvin C. Dominguez, Secretary of Transportation
Tom Clifford, Secretary of Finance and Administration (with A.J. Forte as designee during the latter portion of the meeting)
Veronica N. Gonzales, Secretary of Cultural Affairs
Sen. Stuart Ingle, Senate Minority Floor Leader
Sen. Timothy Z. Jennings, Senate President Pro Tempore
Elaine Olah, designee for Ray Powell, Commissioner of Public Lands
Patrick Simpson, designee for Petra Jimenez Maes, Chief Justice of the New Mexico Supreme Court
Clarence Smith, designee for James B. Lewis, State Treasurer
Rep. Thomas C. Taylor, House Minority Floor Leader

Staff

Raúl E. Burciaga, Director, Legislative Council Service (LCS)
Roxanne Knight, LCS
Lisa Sullivan, LCS
Tom Pollard, LCS
Ric Gaudet, LCS
Chuck Gara, Director, Property Control Division (PCD), General Services Department (GSD)
Lemoyne Blackshear, Staff Architect, PCD

Guests

The guest list is in the meeting file.

Handouts

Handouts and other materials provided to the commission are in the meeting file.

Tuesday, May 8

Commission and Staff Introductions and Approval of Agenda

Commission members and staff introduced themselves. Chief Justice Maes became the newest member of the commission, with Mr. Simpson serving as her designee.

Action Item:

The order of the agenda was changed to accommodate commission members' scheduling conflicts. (Copies of handouts and presentations are to be posted on the legislative web site.)

Statewide Inventory Preliminary Report

John Petronis and Andy Aguilar, commission facilities planners, Architectural Research Consultants (ARC), presented to the commission a preliminary version of the statewide inventory of capital assets owned by the state. The inventory is a critical component of the state's strategic facility planning process and can be used by policymakers in planning for future capital asset needs. The completed statewide asset inventory will be accessible through a web-based application that will allow for extraction of facility information in a variety of formats.

Throughout the presentation, Mr. Petronis projected online "live" samples of the database. (See handouts in the meeting file.)

Mr. Petronis said that knowing the facility assets of the state is one of the keystones of successful facility asset management. The CBPC has recognized the importance of efforts to assemble a comprehensive, unified and accessible capital asset inventory. The CBPC supported successful legislation in 2007 to fund additional PCD staff to maintain hardware and software for use in master planning, which includes acquisition of the AIM asset management system, formerly known as FacilityMax. In 2009, the CBPC directed staff to create a consistent and comprehensive database of state assets and leased properties. However, limited state funding hindered the PCD's efforts to assist in accomplishing that task and managing its asset-management system. The master planners in that same year compiled a partial inventory of many statewide assets based on existing data sources. In 2011, the PCD, the Risk Management Division (RMD) of the GSD and representatives from the Statewide Human Resource, Accounting and Management Reporting (SHARE) system initiated an effort to establish a common campus and building number identifier. This information will eventually be used to match employees with buildings, which can be then used for better facilities management planning. Finally, in 2011, the CBPC directed the master planners to compile a comprehensive inventory of state-owned and -leased facilities and of properties controlled by state agencies and state courts, including facilities provided by the counties for state operations. This directive has resulted in the web-based preliminary inventory presented to the commission.

The master planners collected and reviewed existing information, including state agency inventories; partial facility condition assessments conducted in 2006 for PCD and higher education (HE) facilities, 2010 for 50% of PCD facilities and 2011 for special schools; insurance data from the RMD and historic designations from the Cultural Affairs Department. They also interviewed state agencies about facilities and assets not under the jurisdiction of the PCD. The

web-based database is being developed using MySQL open source software and Google's free mapping software. The asset inventory framework consists of three main sources of information: the AIM asset management system, the RMD's data and data from the SHARE system. In addition, the judiciary and legislature have provided data about their assets, and data were collected from counties about space provided to the state. Data are being compiled for all owned and leased space. The inventory does not include facility information about public schools or HE institutions. The consultants' reports capture data about schools and HE separately for presentation purposes only. The database will provide consistent naming for campuses and building names; current errors in the data are being corrected. Every facility will be accessible on a map, and detailed information will be immediately available about that facility.

The statewide inventory will provide foundational data for future planning efforts, foster collaboration and information-sharing among state agencies and provide greater transparency to the public, said Mr. Petronis. Several challenges remain in completing the inventory, including collecting and integrating data from some state agencies, getting consistently reported leased and land data from agencies, resolving data discrepancies and refining the user interface of the application.

Mr. Petronis and Mr. Aguilar then gave a demonstration of how the system works and showed the commission facility details of some capital assets around the state.

Mr. Church and Secretary Clifford asked the master planners to clarify how the building replacement values for structures shown in the inventory demonstration were generated and suggested that access to the details of the replacement estimates be included in the inventory database. Mr. Petronis said that many of the replacement value estimates were based on a 2006 study, but some estimates have been updated for certain buildings. Secretary Clifford said that the accuracy of those data should be verified, perhaps by comparing replacement values on a dollar-per-square-foot basis for each facility type.

Speaker Lujan asked whether the inventory accounted for the difference between leasable square footage (LSF) and usable square footage (USF). Mr. Gara said that the PCD has been using a USF figure of 65 percent, which is not an accurate measurement of USF. He said that typical buildings have a USF of 85 percent of the LSF and that the PCD will be changing its lease contracts to follow space standards established by the American National Standards Institute.

Secretary Burckle asked what data are still missing from the inventory. Mr. Petronis said that more detailed information from the AIM and SHARE systems still needs to be integrated and verified and that, while the data about buildings are excellent, there are gaps in the data about land. Mr. Gara said that the PCD gathered comprehensive lease information from all state agencies in 2011, but some of that new information did not match older leased data the PCD had. Once those discrepancies are resolved, the AIM system will be used as the baseline for future updates.

Representative Taylor suggested that the inventory should distinguish between repair costs for facilities that have critical needs from facilities with non-critical needs. According to Mr. Petronis, there are such data from 2010, but only for one-fourth of the number of buildings in the state inventory.

Secretary Clifford said that the state should develop facility adequacy standards similar to the standards developed for public schools by the Public School Facilities Authority, including adequacy standards, which should be defined in the CBPC context. Secretary Clifford commented that determining the standards would be a useful step.

Review of Strategic Facility Planning Process and Next Steps

Next Steps

Mr. Petronis discussed with the commission the need for the state to implement a strategic facility planning process, and he reviewed the process detailed before the commission in 2011. A best-practice scenario would consist of a process that first determines facility requirements of state agencies from each agency's plan for agency outcomes and operations, followed by an evaluation of existing facilities and their ability to meet future needs. If additional facilities are determined to be necessary, comprehensive life-cycle costing analyses need to be performed in order to choose the right type of financing mechanism for the facility.

Facility asset management is an ongoing process, with constant attention being paid to the planning, implementing and operating facilities. Asset life cycles for each facility need to be considered, with scheduled system renewal and replacement during the course of an asset's life. This process allows policymakers to choose appropriate projects from equally valid competing asset needs. In New Mexico, the strategic facility planning process has been hindered by several factors, including:

- until very recently, no statewide facility inventory;
- no comprehensive assessment of facilities that provides reliable, comparable results;
- no unified process for strategic facility planning and budgeting;
- no linking of strategic planning and facility planning;
- no reliable source of funding for building renewal;
- fragmented ownership, responsibilities and procedures for managing facilities;
- no consistent process for acquisition or disposition of assets; and
- many different statutes and rules affecting state agencies in different ways.

The master planners recommended to the commission that the state adopt a strategic facility asset management model that consists of a complete inventory database of state facilities and sites; comprehensive and consistent assessment of state facilities; and linkage of agency master plans with facility plans. From that information, a statewide facility plan would be prepared, encompassing owned and leased properties. A dedicated source of revenue should be identified for state capital facilities renewal. Finally, the master planners recommended the investigation of centralized ownership of state facilities under one state agency.

Review of Senate Bill 83

Ms. Knight reviewed for the commission Senate Bill 83 from the 2012 regular legislative session, which was pocket-vetoed by the governor. The legislation would have set up a five-year statewide program to plan, prioritize and finance all state capital improvement projects. State agencies would be required to prepare and update a five-year facilities master plan in compliance with guidelines developed by the PCD, and those plans would need to be consistent with the CBPC master plans and planning principles. The PCD would be tasked with developing a ranking system to determine the priority of projects across state agencies. State agency facility master plans would need to address deferred maintenance plans, including standards for facility maintenance, space and energy efficiency standards and requirements for life-cycle costing of new facilities or improvements to existing facilities. The bill included an appropriation of \$1 million for the PCD to implement the legislation and assist state agencies in developing their master plans. It also included an appropriation of \$2.3 million to conduct a comprehensive condition assessment of state facilities.

Direction on Next Steps

The master planners recommended that state agencies be required to integrate site and facility information and needs into their agency strategic and facility master plans. They also recommended that the commission appoint a subcommittee to explore what steps to take next regarding whether to continue pursuing legislation similar to the vetoed Senate Bill 83 or whether to take a different path.

Secretary Burckle asked Senator Ingle, the primary sponsor of the legislation, whether he got any feedback from the Office of the Governor about problems with the bill. Senator Ingle said that he did not have any indication from the governor about why she opposed the legislation. Secretary Burckle said that he heard from the Office of the Governor that the governor believes that the strategic planning process should be put into an executive order rather than statute.

Speaker Lujan said that a CBPC subcommittee should meet with the Office of the Governor to discuss what the problem was with the legislation. Executive orders typically only apply to the current administration and to agencies under the governor's jurisdiction. The commission needs to get feedback from the governor about what kind of legislation would be acceptable to her. Secretary Burckle said that he would help facilitate that meeting with the Office of the Governor.

Senator Jennings said that the governor has vetoed identical legislation two years in a row, so clearly she does not want a strategic facility planning process in statute. He stated that there is no reason for the commission to keep pushing the same idea and expect a different result, especially when the commission majority is composed of executive members.

Secretary Burckle said that Senate Bill 83 was a critical component in the reformation of the state's capital outlay process. He said that the administration is considering rearranging some staff positions at the PCD so that some employees will have as their main job the continuous study of state agency facility conditions. It was stated that this function should be the duty of the

PCD rather than contracting out the function, to which Senator Ingle expressed concern that it would push private sector jobs into government positions.

Ms. Olah said that the subcommittee should focus on what the next steps should be, including finding alternative funding sources.

Secretary Gonzales said that direct communication with the Office of the Governor would be beneficial in finding a solution acceptable to all parties.

Mr. Simpson said that the judiciary had some problems with Senate Bill 83, especially the requirement that the judicial branch of government be part of the overall statewide prioritization process for facility funding. He said that the courts should not be forced to get in line behind other state agencies' needs.

Action Item:

On Ms. Olah's motion, seconded by Mr. Smith, the commission voted to form a subcommittee of the CBPC consisting of no more than five members appointed by the co-chairs from a list of interested members and representing all three branches of government, if possible. The subcommittee is tasked with exploring possible next steps for the state to take regarding the statewide strategic facility planning process and for dialogue with the Office of the Governor about the process, including a discussion of the provisions of Senate Bill 83 and the pocket veto. The vote was 7 for, 2 against, with Mr. Simpson and Senator Jennings voting no; Mr. Forte, on behalf of Secretary Clifford, abstaining; and Representative Taylor absent from the room.

Action Item: Adoption of 2012 Open Meetings Act Resolution

The commission unanimously adopted the 2012 Open Meetings Act resolution, which establishes procedures the commission will follow in conducting its meetings in accordance with law.

Action Item: Adoption of December 2011 Minutes

The commission unanimously adopted without changes the minutes of the December 6, 2011 meeting of the CBPC.

Action Item: Adoption of the 2011 Interim Report

The commission unanimously adopted the 2011 interim report of the commission.

Commission Staff Reports

PCD Activities

Mr. Gara presented to the commission an update of the PCD's recent activities. Ongoing projects include:

- Replacement of the Water and Wastewater System at the Roswell Correctional Facility. The project is designed and ready for bidding.

- Assessment of Security Systems Statewide for the Corrections Department. A request for proposals (RFP) was issued, and the contract is currently being negotiated with the successful proposer.
- Clovis Bruce King Complex Renovations. Renovations are being planned to the building to accommodate a Motor Vehicle Division field office.
- Vacant Roswell Rehabilitation Center. The building is creating a health risk. Several nonprofit organizations have expressed interest in using the building, but they do not have the funds needed to upgrade the facility. The site is also being considered by the Children, Youth and Families Department for a location for a new southeast Cambiar facility, which would require demolition of the existing building.
- Old Ft. Bayard Hospital. The Department of Health is still operating the facility and is using a portion of the building. A disposition assessment and feasibility study for the 468-acre property determined no positive alternatives for the property. Several nonprofit organizations have expressed interest in using the facility, but they do not have funds needed to upgrade the facility.
- Las Cruces J.P. Taylor Facility. The gymnasium and classroom addition is complete, and equipment will be delivered in July. Installation of the security system and vocational greenhouse will be finished by July.
- Las Cruces State Police Building. The Department of Public Safety building is under construction and is 75 percent complete.
- Southern New Mexico Correctional Facility Heating, Ventilation and Air Conditioning (HVAC) Upgrades. Bids have been received, and a contract has been approved for the project.
- Southern New Mexico Correctional Facility Kitchen Renovation. The project has been designed, and bids will be let in July.
- Santa Teresa Port of Entry. Construction drawings are complete, and a land exchange with a local developer has been completed.
- Las Vegas New Mexico Behavioral Health Institute (NMBHI) New Meadows Project Phase 1. Construction of the facility is complete, and occupancy will take place by the end of May.
- NMBHI Forensic Sally Port. Construction of the project is 20 percent complete.
- NMBHI New Meadows Phase 2. An RFP has been issued, and competitive sealed proposals will be evaluated soon. The project should begin construction in August.
- Las Vegas State Police Building. The project is 75 percent complete, with occupancy expected in July.
- Santa Fe Bataan and Runnels Buildings HVAC. Both projects are complete.
- Santa Fe Lujan Building Phase A Renovation. Replacement of boilers and chillers is complete.
- Santa Fe Lujan Building Phase B. An RFP has been issued, and proposals are being evaluated for the project. Construction is scheduled to begin in September.
- Santa Fe Demolition of Barracks at the Former College of Santa Fe. The project is being designed, and an RFP will be issued in July.
- Santa Fe GSD Quonset Hut Demolition. The project located at the GSD surplus property location has been completed.

- Santa Fe Executive Office Building. The GSD is in the process of complying with the requirements of Section 3-22-6 NMSA 1978 regarding construction of state buildings within historic districts.

- Los Lunas Central New Mexico Correctional Facility Kitchen. The project has been designed and will go to bid in July.

- Albuquerque Youth Diagnostic and Development Center Water Line Replacement. The project is under way and is expected to be completed in September.

Lease Survey Results

The PCD has met with many state agencies to study their building leases. Eighteen leases have been modified or terminated, with a savings to the state of more than \$900,000 annually. Six other leases are currently being renegotiated. Some state agencies have relocated smaller functions into excess leased space that the Human Services Department currently has. The PCD is also forming a facilities council with the state agencies that have most of the leased space in the state. The council will develop strategies and policies regarding how to best manage leased facilities.

Mr. Church asked whether the state can terminate lease agreements. He said that the Department of Transportation is currently attempting to consolidate its space. Mr. Gara said that lease agreements typically have three methods for the state to terminate an agreement: (1) lack of funding from the legislature; (2) an executive order; or (3) if the state acquires a new facility and does not need the leased space any more. He said that all state agencies, except the State Land Office, must contact the PCD prior to any lease modifications.

Mr. Simpson inquired into the status of the executive office building and the Health and Human Services Complex proposed for potential siting at Las Soleras. He said the judiciary wants to know where its administrative offices will be in a few years. Mr. Gara said that the State Board of Finance approved the fourth amendment to the purchase agreement with Las Soleras to extend the time frame for purchase to six months but with several changes to the proposed amendment. The 2012 legislature reauthorized for another purpose \$4 million, which had been set aside for purchase of the land at Las Soleras, so another contract extension will be needed in order for the legislature to address funding. The contract extension also dropped the requirement that Las Soleras develop a Rail Runner train station at the site.

2012 Tentative Meeting Dates

Ms. Knight said that the commission is tentatively scheduled to meet in July, September and November. She said that the LCS will send members a list of proposed meeting dates in the near future.

There being no further business, the commission adjourned at 3:41 p.m.

**MINUTES
of the
SECOND MEETING
of the
CAPITOL BUILDINGS PLANNING COMMISSION**

**July 30, 2012
Santa Fe, NM**

The second meeting of the Capitol Buildings Planning Commission (CBPC) was called to order by Secretary Edwynn L. Burckle, co-chair, on July 30, 2012 at 1:42 p.m. in Room 311 of the State Capitol.

Present

Edwynn L. Burckle, Secretary of General Services, Co-Chair
Alvin C. Dominguez, Secretary of Transportation
Anne Green-Romig, designee for Veronica Gonzales, Secretary of Cultural Affairs
Sen. Stuart Ingle, Senate Minority Floor Leader
Sen. Timothy Z. Jennings, Senate President Pro Tempore
Elaine Olah, designee for Ray Powell, Commissioner of Public Lands
Angela Pacheco-Chavez, designee for Tom Clifford, Secretary of Finance and Administration
Patrick Simpson, designee for Petra Jimenez Maes, Chief Justice of the New Mexico Supreme Court
Clarence Smith, designee for James B. Lewis, State Treasurer
Rep. Thomas C. Taylor, House Minority Floor Leader (participating via conference call)

Absent

Rep. Ben Lujan, Speaker of the House, Co-Chair

Staff

Raúl E. Burciaga, Director, Legislative Council Service (LCS)
Roxanne Knight, LCS
Lisa Sullivan, Staff Attorney, LCS
Tom Pollard, LCS
Cassandra Jones, LCS
Chuck Gara, Director, Property Control Division (PCD), General Services Department (GSD)
Lemoyne Blackshear, Staff Architect, PCD

Guests

The guest list is in the meeting file.

Handouts

Handouts and written testimony are in the meeting file.

Monday, July 30

Action Item: Adoption of the Agenda

The agenda was adopted without objection.

Action Item: Adoption of Minutes

Upon a motion by Ms. Olah, seconded by Mr. Smith, the commission approved the minutes from the first meeting of the CBPC for the 2012 interim.

Presentation of Statewide Inventory Database

John Petronis and Andy Aguilar, commission facilities planners, Architectural Research Consultants (ARC), presented to the commission the statewide inventory database. (See handout in the meeting file and on the legislative web site.)

The database is an inventory of capital assets owned by the state that can be accessed through a web-based application, which allows for the extraction of facility information in a variety of formats. Mr. Petronis told the commission that the responsibility for state buildings and land is split among many different agencies; however, the CBPC has recognized the importance of and supported efforts toward assembling a comprehensive and unified inventory of accessible facilities and other assets (e.g., land and water).

In 2007, the CBPC sponsored successful legislation to fund additional PCD staff to maintain hardware and software for master planning. During subsequent budget cuts, some of the staff positions were eliminated. In 2009, the CBPC directed its staff to create a consistent and comprehensive database of state assets and leased properties.

The inventory in the database is from many different sources and resides in a web-based open source relational database. On the date of the presentation, the database is populated with 3,700 total records. Many more are expected, and critical verification will be needed from the state agencies.

The web-based application ties separate data tables into reports and makes information accessible and easy to update. The data are compiled from the best sources available, including GSD data maintained by the Risk Management Division of the GSD and the PCD, ARC research, ARC surveys and Department of Health data. The data fidelity, defined as data comprehensiveness, consistency and accuracy, is best for leased buildings and worst for land. The consultants stressed that the database is still a work in progress. It has little or no data regarding staffing per building and facility condition.

The consultants explained that the facility code is a key tie between data tables. The facility code is an 11-digit number composed of a two-digit county code, a three-digit site code and a six-digit building number. Buildings are also assigned a space-type code, which is indicative of a use category, as well as a status code.

The consultants projected a demonstration of the "live" database and presented examples to the commission. The consultants discussed the search tool, which allows users to search for buildings and land in the inventory that meet specific criteria defined by the user. Standard reports are separated into categories such as owned land, leased land, inventory by county and inventory by agency. Mr. Aguilar reminded the commission that colleges, universities and State Land Office trust lands are not included in the database. Right-of-way land that belongs to the Department of Transportation is also not included.

CBPC members discussed the database and asked questions. Senator Jennings expressed concern about maintaining uniformity in the data entry, with particular regard to condition assessment data. Senator Ingle expressed concern that agencies should use similar software. In response, the consultants clarified that much of the condition assessment information in the database is from a study conducted in 2010 by the ISES Corporation. Mr. Gara told the commission that it would be much easier to maintain this database if all state agencies use the same facility management software. Each agency could then input and verify its own information. The commission members discussed the challenges and rewards of a statewide facility condition assessment on all state properties.

Action Item: Directives to Staff

Members of the commission requested that LCS staff and ARC provide the commission with a breakdown of how much time the consultants spent creating a database.

Representative Taylor expressed interest in keeping data current, particularly because of the considerable investment made to create and populate the database.

Action Item: Staff Authorization to Share Data

Ms. Green-Romig made a motion to allow commission staff to share the information in the statewide inventory database with state agencies and other interested parties. The motion was seconded by Mr. Smith. Members of the commission voted unanimously in favor of the motion.

Commission Staff Reports

1-Subcommittee Appointments

Ms. Knight told the CBPC that the co-chairs had named commission members to a subcommittee established at the first 2012 meeting of the CBPC for the purpose of acting as a liaison between the commission and the governor regarding vetoed legislation from the 2012 legislative session. The staff reported that Executive Order 2012-023 serves a similar purpose as the vetoed legislation except there is no funding.

Action Item: Directions to Staff

Secretary Burckle made a motion to temporarily suspend any action by the subcommittee. The motion was seconded by Senator Jennings. Members of the commission voted unanimously in favor of the motion.

2-Executive Order

Ms. Blackshear told the CBPC that the GSD and the Department of Finance and Administration (DFA) are putting together a preliminary planning task force to develop the procedures for implementation of Executive Order 2012-023. The agencies will create a plan for identifying, evaluating and prioritizing projects and will establish a schedule to pull in other agencies. Initial representatives from the DFA, GSD, LCS, Legislative Finance Committee and PCD have been invited to a meeting to discuss the best way to proceed.

Senator Ingle inquired if any projection of the costs to implement the executive order had been made. Secretary Burckle told the commission that the key costs involved with implementing the executive order are associated with a facility condition assessment. The GSD has asked the DFA for four additional full-time employees to conduct the assessment.

Ms. Green-Romig told the commission that the Cultural Affairs Department (CAD) has been working with the DFA to develop a facilities and assets database system for assessing and tracking facilities and their conditions. The CAD is looking at the possibility of using the same software that the PCD already uses, rather than to start using a new and different system with different software.

3-Contract with ARC

Ms. Knight told the commission that, on average, ARC services have cost approximately \$125,000 per year. Because of the work that has been done to create and populate the statewide inventory database, the contractors have used most of the funding allotted in their contract. There are sufficient appropriations to amend the ARC contract so that ARC will be able to continue providing services to the CBPC.

Action Item: Directions to Staff

Senator Ingle made a motion to increase the contract by \$115,000 plus gross receipts tax for the entire contract. The motion was seconded by Secretary Dominguez, and the commission members voted in favor of the motion. Mr. Simpson abstained from voting.

4-GSD/PCD Regional Project Updates

- Mr. Gara told the commission that in Las Vegas, New Mexico, phase two of the Meadows Long-Term Care Facility is in progress. Contractors have been selected, and the PCD is finalizing the contract.
- The New Mexico Behavioral Health Institute Forensic Sally Port construction project is 40 percent complete, and a substantial completion date is projected to be November 16, 2012.
- The Department of Public Safety (DPS) District 5 office construction project is 85 percent complete and is projected to be completed around September 15, 2012.
- In Las Cruces, the DPS District 4 office construction project is 78 percent complete, and the projected final completion date is September 1, 2012.
- Security upgrades are under way at all New Mexico Corrections Department facilities.

- The Southern New Mexico Corrections Facility is in the process of upgrading the heating, ventilation and air conditioning (HVAC) system for units 4 and 5, and a pre-bid meeting is scheduled for August 9 regarding a kitchen remodel.
- The Central New Mexico Corrections Facility (CNMCF) is in the process of upgrading the HVAC system for unit 2, which should be completed in August 2013.
- NCA Architects has been selected to do kitchen renovations at the CNMCF.
- The Western New Mexico Corrections Facility is in the process of issuing a request for proposals for HVAC upgrades.
- In Albuquerque, the Youth Diagnostic and Development Center demolitions have been completed.
- In Santa Fe, the PCD is working with the City of Santa Fe to develop design parameters for the Executive Office Building.
- The Lujan Building renovation in Santa Fe began on July 7, 2012; it is scheduled for completion on December 31, 2013.
- The Runnels renovation and HVAC system upgrade is 99 percent complete.
- Regarding the Las Soleras contract, due diligence on the purchase has been extended by the State Board of Finance to November 15, 2012.

Public Comment

Marc Bertram, director of sales and marketing at SF Brown, requested additional information regarding the Las Soleras contract amendment. Mr. Gara clarified that the project will not be funded until after the legislature meets and appropriates a portion of funds that were reauthorized for a different project during the 2012 legislative session.

Senator Jennings reminded the commission that Ms. Knight will be retiring soon. Senators Jennings and Ingle expressed thanks to Ms. Knight for her many years of service to the commission, the legislature and state government.

Mr. Simpson suggested that commission members read a publication produced by the Judicial Council of California titled California Trial Court Facilities Standards 2011.

Ms. Knight reminded the commission that the October 4 meeting of the CBPC has been tentatively rescheduled for October 18 as a morning rather than a usual afternoon meeting. Notices will be sent to members with the specific start time.

Adjournment

There being no further business before the commission, the second meeting of the CBPC for the 2012 interim adjourned at approximately 4:15 p.m.

MINUTES
of the
THIRD MEETING
of the
CAPITOL BUILDINGS PLANNING COMMISSION

December 11, 2012
Santa Fe

D The third meeting of the Capitol Buildings Planning Commission (CBPC) was called to order by Secretary Edwynn L. Burckle, co-chair, on December 11, 2012 at 1:37 p.m. in Room 311 of the State Capitol.

Present

Edwynn C. Burckle, Secretary of General Services, Co-Chair
Tom Church, Designee for Alvin C. Dominguez, Secretary of Transportation
Representative Brian F. Egolf, Jr., Designee for Representative Ben Lujan
Veronica N. Gonzales, Secretary of Cultural Affairs
Elaine Olah, Designee for Ray Powell, Commissioner of Public Lands
Debbie Romero, Designee for Tom Clifford, Secretary of Finance and Administration
Patrick Simpson, Designee for Petra Jimenez Maes, Chief Justice of the New Mexico Supreme Court
Clarence Smith, Designee for James B. Lewis, State Treasurer
Representative Thomas C. Taylor, House Minority Floor Leader

Absent

Senator Stuart Ingle
Senator Timothy Z. Jennings, Senate President Pro Tempore

Staff

Raúl E. Burciaga, Legislative Council Service (LCS)
Lisa Sullivan, LCS
Tom Pollard, LCS
Cassandra Jones, LCS
Chuck Gara, Director, Property Control Division (PCD), General Services Department (GSD)

Guests

The guest list is in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file.

Tuesday, December 11

Call to Order; Approval of Agenda

The commission voted unanimously to approve the agenda.

Adoption of July 30, 2012 Minutes

Upon a motion by Ms. Olah, seconded by Representative Taylor, the commission voted unanimously to approve the minutes of the July 30, 2012 meeting of the CBPC.

Strategic Asset Management Goals and Activities

Mr. Gara presented two handouts, which are posted on the legislative web site, and reminded the commission that Executive Order 2012-023 requires of state agencies what SB 83 (2012), which was vetoed by the governor, would have required from all branches of government regarding the master planning of facilities. He told the commission that these master plans are very important in asset management. Mr. Gara emphasized the importance of condition assessments for future planning, as well as the importance of a revenue stream rather than piecemeal funding for maintenance.

In response to questions from a commission member, John Petronis, Architectural Research Consultants (ARC), told the commission that in the past, ARC made four recommendations to the commission, two of which were approved by the commission and are in the process of being implemented. Mr. Gara, Mr. Petronis and Andy Aguilar, ARC, discussed the benefits and consequences of leasing versus buying buildings. Mr. Gara and Secretary Burckle discussed PCD initiatives to reduce the state footprint regarding owned and leased facilities.

ARC Status Update on Planning Activities

Mr. Aguilar presented a handout, which is posted on the legislative web site, and told the commission that ARC, in conjunction with the LCS, sent inventory data spreadsheets to agencies in August and sent reminders to unresponsive agencies in November. Agencies were asked to review the data and indicate any suggested changes and to provide their full-time-equivalent (FTE) employee information. As of December 7, 2012, 68 agencies had responded, which represents 67% of the total contacted agencies. Thirty-eight agencies indicated some minor changes, and 62 agencies have provided some level of FTE data. The inventory web site was accessed by state users 428 times in September, 491 times in October and 161 times in November. Other users accessed the site 669 times in September, 198 times in October and 313 times in November. Mr. Petronis told the commission that ARC is currently analyzing the statewide inventory and working on recommendations for steps to develop and implement a strategic overall statewide master plan.

Mr. Petronis reminded the commission that ARC's contract requires ARC to:

- conduct a strategic analysis to identify opportunities and constraints to the provision of efficient and effective services to the public and to co-locate agencies where possible and reduce overall recurring expenditures to the state;

- identify potential strategies to strategically manage state assets by considering agency mission requirements, the costs of ownership and operation, evaluation of the adequacy and condition of current state-owned and state-leased facilities and properties, and other factors;
- capitalize as much as possible on the previous work of the CBPC;
- consider local government planning provisions that may affect the state's long-range space needs and facilities master plans;
- identify location assignment criteria for state agencies and employees;
- collect pertinent local government growth impact information that assists in identifying master plan alternatives for expansion, land and facility acquisitions and possible upgrades of existing space; and
- prepare and present recommendations to the CBPC regarding future steps to take to develop and implement a strategic overall statewide master plan.

Mr. Petronis informed the committee that ARC has also made minor updates to the user guide for the life-cycle cost analysis application to reflect revisions made at the request of CBPC staff.

In response to questions from members of the commission, Mr. Petronis clarified that inventory spreadsheets were sent to 102 agencies, including those under PCD purview and those that are not under PCD purview. Mr. Petronis also clarified that Higher Education Department facilities are not included in the statewide inventory.

Secretary Burckle requested that ARC provide him with a list of agencies under the PCD that have not responded to the data verification requests.

Members of the commission discussed the importance of taking into account space usage when trying to reduce the footprint of government buildings. In response to questions from the commission, Mr. Aguilar stated that buildings on or eligible for the historic register are identifiable in the statewide inventory.

GSD/PCD Updates and Potential Legislation

Mr. Gara told the commission that the state has reduced FTEs by approximately 14%, according to the Legislative Finance Committee. Mr. Gara told the commission that the reduction in FTEs has not been accompanied by a reduction in space usage. The PCD is making efforts to reduce the amount of government space that is being used. The PCD has put out a request for proposals to assess buildings in Santa Fe and how well they are being utilized. Nine proposals have been received. Mr. Gara discussed specific cases where consolidation of space has been achieved. Members of the commission discussed energy reduction measures undertaken by the PCD.

Infrastructure Capital Improvement Plan (ICIP) Updates

Mr. Gara told the commission that ICIP hearings with executive agencies had recently occurred. A new scoring matrix for capital outlay projects allows projects to be analyzed more

thoughtfully. It is estimated that \$223 million will be available for capital outlay projects. Over \$700 million in requests have been submitted.

Cultural Affairs Department (CAD) Capital Outlay Needs

Secretary Gonzales introduced Lisa Vornholt, capital facilities manager for the CAD, to the commission. The secretary told the commission that the CAD's mission is to protect New Mexico's cultural heritage, which includes protecting many buildings. The CAD is responsible for eight monuments that consist of more than 180 buildings. Many facilities are historic buildings. Secretary Gonzales told the commission that the CAD is requesting money for specific needs, including \$10.4 million for repairs and maintenance of cultural facilities; \$3.2 million for completion of cultural facilities; \$2.7 million for equipment; \$1 million for exhibit upgrades; and \$300,000 for expansions, acquisitions and planning.

Members of the commission discussed the CAD request. The commission also discussed the importance of preventative maintenance, CAD responsibilities and specific CAD sites.

Scheduling Future Meetings; Directions to Staff

Commission members discussed future meetings. Secretary Burckle indicated a willingness to postpone scheduling meetings until after the 2013 session and the election of legislative leadership. In response to a question from Secretary Burckle, Mr. Petronis told the commission that ARC will continue its work under its current budget and contract. Secretary Burckle told the commission that he would work with Mr. Burciaga to determine a meeting date and then contact the commissioners.

Public Comment

No public comments were made.

Members of the commission noted that Lemoyne Blackshear, former staff architect for the PCD, has left the PCD in order to work with the Federal Bureau of Investigations. Commission members praised Ms. Blackshear's work.

Adjournment

There being no further business, the commission adjourned at 3:14 p.m.