

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

**August 5, 2013  
Room 311, State Capitol  
Santa Fe**

The first meeting of the Capitol Buildings Planning Commission (CBPC) was called to order by Secretary Edwynn L. Burckle, co-chair, on August 5, 2013 at 1:10 p.m. in Room 311 of the State Capitol.

**Present**

Edwynn L. Burckle, Secretary of General Services, Co-Chair  
Tom Clifford, Secretary of Finance and Administration  
Anne Green-Romig, Designee for Veronica N. Gonzales, Secretary of Cultural Affairs  
Loren Hatch, Designee for Tom Church, Secretary-Designate of Transportation  
Marilyn Hill, Designee for James B. Lewis, State Treasurer  
Sen. Stuart Ingle  
Elaine Olah, Designee for Ray Powell, Commissioner of Public Lands  
Sen. Mary Kay Papen, Senate President Pro Tempore  
Patrick Simpson, Designee for Petra Jimenez Maes, Chief Justice, New Mexico Supreme Court  
Rep. Thomas C. Taylor

**Absent**

Rep. W. Ken Martinez, Speaker of the House

**Staff**

Raúl E. Burciaga, Legislative Council Service (LCS)  
Lisa Sullivan, LCS  
Cassandra Jones, LCS  
George D. Morgan, Director, Facilities Management Division (FMD), General Services Department (GSD)  
Pam Nicosin, Acting Deputy Director, FMD, GSD  
Andy Aguilar, Facility Planner, Architectural Research Consultants, Inc. (ARC)  
John Petronis, President, ARC

**Guests**

The guest list is in the meeting file.

**Handouts**

Handouts and other written testimony are in the meeting file.

**Monday, August 5**

Secretary Burckle welcomed the members of the CBPC, the staff and the public.

***Action Item: Approval of the Agenda***

Secretary Burckle told the commission that the agenda would be amended to include a legislation update from Ms. Sullivan after the ARC update. Senator Papen moved to approve the agenda with the amendment. The motion was seconded by Ms. Olah. Members of the commission voted unanimously in favor of the motion.

***Action Item: Adoption of the 2013 Open Meetings Resolution***

Ms. Sullivan noted that the Open Meetings Resolution needed to be amended to reflect a change in statute that requires that agendas be posted online 72 hours in advance of a meeting. The amendment is required to meet standards set by the Open Meetings Act. Mr. Simpson moved to adopt the 2013 Open Meetings Resolution with the amendments. Senator Ingle seconded the motion. Members of the commission voted unanimously in favor of the motion.

***Action Item: Adoption of December 11, 2012 Minutes***

Senator Ingle moved to approve the December 11, 2012 minutes. The motion was seconded by Ms. Olah. Members of the commission voted unanimously in favor of the motion.

***Action Item: Adoption of the 2012 Interim Report***

Mr. Hatch moved to approve the 2012 Interim Report. The motion was seconded by Ms. Green-Romig. Members of the commission voted unanimously in favor of the motion.

Secretary Burckle asked the commission to take a moment to reflect on the passing of Representative Ben Lujan, who co-chaired the commission for many years, and Chuck Gara, former director of the Property Control Division of the GSD. The secretary noted that both individuals greatly affected the work of the commission.

**CBPC Primer**

Mr. Burciaga told commission members that the CBPC was created in 1997 to evaluate facilities needs for state government. The commission includes members of the executive, judicial and legislative branches. Statute requires that the commission study and plan for long-range facilities needs of state government; review lease-purchase agreements; address deferred maintenance and disposal strategies for aging or obsolete facilities; utilize life-cycle costing for cost-benefit analysis of leases, lease-purchases or purchases; meet regularly; and provide

recommendations to the legislature. The LCS provides staff for the commission in coordination with the staff architect, staff from the FMD of the GSD and the master planning consultant. Staff meets periodically for working group meetings in preparation for presentations before the commission.

Mr. Burciaga noted recent commission activity, including:

- 2009 legislation authorizing and financing the executive office building (EOB) and phase I of the health and human services (HHS) plans;
- the development of a life-cycle cost-analysis tool;
- legislation to mandate five-year master plans and facility maintenance plans by state agencies, which was vetoed in 2011 and 2012;
- providing additional funding for continued master-planning activities as directed by the commission during the 2013 session; and
- creating an inventory of state-owned, -leased and -provided facilities, which continues to be refined.

Mr. Burciaga concluded that the CBPC has been instrumental in coordinating efforts to assess the facilities needs of state government and in developing an inventory of all facilities.

Mr. Aguilar referred the commission to an updated version of the CBPC primer. He told the commission that the primer was created in 2011 and updated in preparation for this meeting. He told the commission that the overview of state space has been entirely replaced with information from the online inventory. He also told the commission that additional revisions to the primer will be made when the inventory is updated.

Members of the commission asked questions about a master plan for statewide substance abuse treatment facilities, an item mentioned in the CBPC primer. Secretary Burckle told the commission that the legislature has appropriated \$6 million for a substance abuse treatment facility in Los Lunas, an amount that is at least \$2 million less than will be necessary to build the facility. The GSD has decided to bring together staff from the Human Services Department (HSD), the Children, Youth and Families Department (CYFD), the Department of Health (DOH) and the GSD, together with ARC, in order to develop a master plan to understand the substance abuse treatment facility needs throughout the state before constructing the Los Lunas facility. A group of representatives from each agency have begun meeting to accomplish this task.

### **GSD Update**

Ms. Nicosin gave the commission an update on a selection of GSD properties.

- The Manuel Lujan building in Santa Fe, used mostly by the Taxation and Revenue Department, is undergoing major renovations, which are 60% complete with a scheduled completion date in February 2014. The project's budget is \$19,213,719. Forty-five percent of the project's budget has been expended.

- The Tiwa building in Albuquerque, used by the Workforce Solutions Department and the Department of Information Technology, is undergoing major renovations. The project is beginning its design phase. The budget for phase 1 is \$200,000. One percent of that budget has been expended.
- The construction of a new Las Cruces District 4 office, to be used by the Department of Public Safety (DPS), has been completed with a budget of \$6,500,000, 95% of which has been expended.
- A new building at the New Mexico Behavioral Health Institute in Las Vegas is 55% complete with a scheduled completion date in July 2014. The project's budget is \$20,867,213 and is 53% expended.
- The construction of a new Las Vegas District 2 office to be used by the DPS has been completed with a budget of \$6,876,696, 98% of which has been expended.
- The Epi Duran building, used by several state agencies, is undergoing major renovations to accommodate state agencies that currently reside in leased space. The project is 3% complete and has a budget of \$850,000.
- The Motor Vehicle Division office in Clovis is undergoing major renovations, which is 25% complete, with a scheduled completion date in October 2013. The project's budget is \$857,977, 13% of which has been expended.
- An assessment of security systems for all state-owned Corrections Department facilities is 90% complete, with a scheduled completion date in October 2013. The budget for the project is \$985,000, 85% of which has been expended.
- Housing Units 4 and 5 in the Southern New Mexico Correctional Facility (SNMCF) are undergoing heating, ventilation and air conditioning (HVAC) improvements, as well as infrastructure upgrades. The project is 90% complete, with a scheduled completion date in September 2013. The project's budget is \$5,274,262 and is 85% expended.
- The SNMCF is also undergoing major upgrades to its kitchen. These upgrades are 45% complete, with a scheduled completion date in November 2013. The budget for the project is \$1,383,833 and is 26% expended.
- The Central New Mexico Correctional Facility (CNMCF) Housing Unit 2 is undergoing HVAC and infrastructure upgrades, which are 100% complete, with a budget of \$2.5 million that is 99% expended.
- The CNMCF Housing Units 3, 4 and 5 are also undergoing HVAC and infrastructure upgrades, which are 1% complete. The budget is \$6,859,020, of which 1% has been expended.
- The CNMCF kitchen is being renovated and is 1% complete. The budget is \$3 million, which is 1% expended.
- The Roswell Correctional Facility is having a new wastewater treatment system installed. The project is 30% complete, with a scheduled completion in November 2013. The budget for the project is \$1.3 million, 28% of which has been expended.
- The Roswell Correctional Facility is also drilling a new artesian well. The project is 5% complete, with a scheduled completion date in September 2013. The budget for the project is approximately \$163,000 and no funds have been expended yet.

- The Western New Mexico Correctional Facility is undergoing major HVAC upgrades to the entire facility. The project is 0% complete, has a budget of \$113,928 and no funds have been expended yet.

Ms. Nicosin reviewed the 2013 legislative appropriations for the FMD and various projects, including \$1 million for a substance abuse treatment center in Los Lunas, \$1.4 million from the Public Buildings Repair Fund for a facility condition assessment of state facilities under FMD jurisdiction and \$3.5 million for correctional facilities statewide. Ms. Nicosin expressed some concerns about buildings throughout the state. An old rehabilitation center in Roswell needs to be demolished. It is a large liability to the state and is vandalized on a regular basis. It has been condemned by the City of Roswell.

Ms. Nicosin discussed the EOB. It would allow for the relocation of agencies from privately leased facilities and would also allow constitutional officers and the Department of Finance and Administration (DFA) to be relocated within the main capitol campus. The planning team for the project includes the FMD, the DFA and Wilson & Company, Inc., architects and engineers. Plans for the building indicate that the building should be 56,000 gross square feet and located at a site adjacent to the capitol parking structure. Construction of the project requires the removal of casitas currently located at the site. The city has approved building height study permits up to 57 feet and four to five stories high. Ms. Nicosin indicated that she believes the project must comply with the City of Santa Fe's Historic District Ordinance. Since the City of Santa Fe has upgraded the casitas to a "significant" historical designation, the next steps are under review.

Ms. Nicosin discussed the HHS complex, which is intended to achieve operational, functional and logistical efficiencies among HHS agencies that are currently scattered in leased and state-owned office buildings throughout Santa Fe, as well as to realize economic efficiencies through economies of scale and asset and infrastructure sharing. The project would allow some state agencies to vacate privately leased space and would achieve substantial long-term general fund savings. The HHS project is meant to support the co-location of administrative functions of the HSD, the CYFD, the DOH and the Aging and Long-Term Services Department. The GSD reviewed 16 potential sites. Ms. Nicosin indicated that all studies have concluded that Las Soleras is the best location for the HHS complex. Although the south capitol complex was considered for the HHS complex, it would require several stories of structured parking, which would greatly increase the cost of the project. There is no longer a requirement for a New Mexico Rail Runner station to be built at the Las Soleras site before proceeding, and funding has been established. The legislature authorized the New Mexico Finance Authority to issue lease-purchase revenue bonds not to exceed \$80 million for the HHS complex. The legislature also authorized the GSD to trade the Galisteo property to the seller of Las Soleras as part of the payment. In November 2011, the decision to acquire land was postponed. The purchase agreement dated December 2, 2010 was allowed to lapse, but a new agreement is currently being generated.

Members of the commission asked questions about several GSD projects. In particular, commission members requested information about funding sources for each of the projects, time limits for spending certain funds, leased and owned space, maintenance processes for state buildings, the site selection for the HHS complex and parking at the main capitol campus.

### **State-Owned Buildings and State-Leased Buildings — Space-Use Issues**

Ms. Nicosin told the commission that the GSD is studying space-use issues in order to assist the FMD in determining the best use of facilities while meeting mission requirements and managing footprint, energy and water-use reductions. The study is attempting to identify space in state-owned buildings that could be occupied by agencies currently in leased space, a strategy that would achieve substantial long-term general fund savings. Three architectural firms have been selected to perform the space assessment on seven buildings located in Santa Fe, including: the Toney Anaya building, the Joseph L. Montoya building, the Harold L. Runnels building, the Wendell Chino building, the Jerry Apodaca building, the Public Employees Retirement Association building and the Bataan Memorial building. Space assessments began in July 2013. It is anticipated that pre-design and concept plans will begin in November 2013. A final report is expected in February 2014. Ms. Nicosin told the commission that the state leases 28% of its space and owns 72% of its space. Of the leased space, 33% is located in Albuquerque and 20% is located in Santa Fe. Leased space in Albuquerque costs, on average, \$18.80 per square foot. The average cost of leased space in Santa Fe is \$22.23 per square foot. The average cost of leased space in the rest of the state is \$18.81 per square foot. Ms. Nicosin told the commission that Governor Susana Martinez has requested an across-the-board reduction in the state lease costs of 10%. The DFA, the Legislative Finance Committee and legislators have all started questioning departments about money spent on leased space. The FMD is reviewing all leases that are expiring between now and December 2015 and is determining whether the spaces in question meet the agency's requirements and mission for the next three to eight years. The FMD will prioritize findings and meet with property owners to renegotiate existing leases.

### **Executive Order 2012-023 Implementation**

Ms. Nicosin told the commission that the DFA and FMD have led an implementation planning group and an interagency facilities task force charged with developing a good practices model for prioritizing state projects. Each agency's master plan should include: preventive and deferred maintenance plans; space and energy efficiency standards; program justification for new construction; and criteria-based weighted ranking systems to determine priorities. The FMD will provide technical assistance to state agencies in the development of their facilities master plans.

Ms. Nicosin told the commission that Executive Order 2012-023 requires a prioritized five-year program for all state capital improvement projects jointly created by the FMD and DFA be submitted to the governor and the legislature by November 1 of each year. Projects will be classified as design-phase or ready for construction. The executive order requires that most state agencies prepare and update a five-year facilities master plan in compliance with guidelines developed by the FMD and submit it to the DFA by July 1 of each year. Plans must be consistent with CBPC master plans and comprehensive planning principles.

## **ARC Update**

Mr. Petronis, commission facilities planner for ARC, told the commission that ARC has been hired by the commission on a competitive bid several times. Mr. Aguilar told the commission that the statewide inventory validation process is ongoing. The web application represents data as of July 2012 and will be updated once the validation process is completed. He told the commission that many agencies have responded with data and that ARC now has a good benchmark for the number of full-time-equivalents by location for entire agencies. A few agencies have not responded. ARC is taking steps to get in contact with them. On a square-foot basis, the inventory is approximately 70% complete, with facilities owned by the GSD about 83% complete. Mr. Aguilar noted that ARC's information includes land and buildings that are not under GSD purview, which accounts for the difference between ARC and GSD figures regarding leased versus owned space. Mr. Aguilar noted several updates to the 2011 CBPC primer, including the expanded inventory and new information for district courts.

## **Legislative Update**

Ms. Sullivan reviewed enacted 2013 legislation with the commission.

- SB 339 combines the former Property Control Division and the Building Services Division of the GSD into the FMD.
- SB 572 allows the Property Control Reserve Fund to be used statewide for the purchase or construction of state buildings. Formerly, the fund could be used only in Santa Fe.
- SB 341 increases the cap on building and remodel contracts from \$500,000 to \$5 million and eliminates the requirement that the FMD report contracts at State Board of Finance meetings.
- SB 340 amends a law to allow the FMD to contract for design and build projects: (1) in the event that the project is in the best interest of a state or local public body; and (2) without a \$10 million contract cap.
- SB 266 amends Procurement Code procedures for solicitation of architectural and engineering services. It provides that multiple contracts for multiple projects made with a single contractor cannot exceed \$2 million over a four-year period and places a cap of \$500,000 on a single contract.

## **Future Meeting Dates**

Secretary Burckle stated that future meeting dates for the CBPC are scheduled for September 3, October 4 and November 12.

## **Public Comment**

Donald Alire, president, Communications Workers of America Local 7076, told the commission that he is concerned about conditions in the Public Education Department building. He said that issues have been raised for almost 25 years concerning the existence of substances, such as asbestos, in the building that endanger the health of those that work in and visit the building. He told the commission that he would provide documents supporting these claims to

LCS staff. Mr. Alire told the commission that these problems have been unaddressed due to changing administrations, lack of follow-through and simple forgetfulness. Mr. Alire requested that he be allowed to make a formal presentation at the next meeting of the CBPC about his concerns.

Secretary Burckle asked Mr. Morgan to respond. Mr. Morgan told the commission that the FMD has identified several indoor air quality issues in various state buildings and is working to resolve them. The FMD understands the severity of these issues and is creating a process to deal with them.

Bruce Wetherbee then told the commission that documents supporting Mr. Alire's concerns have been given to several administrations with no result. Mr. Wetherbee again requested that he and Mr. Alire be allowed to present at the next meeting of the CBPC.

### **Adjournment**

There being no further business before the commission, the first meeting of the CBPC for the 2013 interim adjourned at 3:17 p.m.