

1 SENATE JOINT RESOLUTION 7

2 **49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

3 INTRODUCED BY

4 Michael S. Sanchez

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8 FOR THE CAPITOL BUILDINGS PLANNING COMMISSION

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10 A JOINT RESOLUTION

11 RATIFYING AND APPROVING A LEASE PURCHASE AGREEMENT UNDER WHICH
12 THE PROPERTY CONTROL DIVISION OF THE GENERAL SERVICES
13 DEPARTMENT, ON BEHALF OF THE HUMAN SERVICES DEPARTMENT, WILL
14 LEASE A BUILDING TO BE USED FOR A SUBSTANCE ABUSE TREATMENT AND
15 TRAINING FACILITY IN LOS LUNAS; RATIFYING AND APPROVING A LONG-
16 TERM LEASE OF STATE LAND ON WHICH THE SUBSTANCE ABUSE TREATMENT
17 AND TRAINING FACILITY WILL BE CONSTRUCTED.

18
19 WHEREAS, Section 15-3-35 NMSA 1978 requires ratification
20 and approval of any financing agreement under which a state
21 agency is to occupy a building or other real property and that
22 contains an option to purchase for a price that is reduced
23 according to the lease payments made; and

24 WHEREAS, the property control division of the general
25 services department, on behalf of the human services

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1 department, desires to enter into an agreement based on a
2 qualification and price-based request for proposals for the
3 lease purchase of a building to be constructed on land owned by
4 the property control division at the correctional site of the
5 Los Lunas campus in Valencia county for use by the human
6 services department as a substance abuse treatment and training
7 facility; and

8 WHEREAS, Section 13-6-3 NMSA 1978 requires ratification
9 and approval of any sale, trade or lease for a period exceeding
10 twenty-five years in duration of real property belonging to a
11 state agency if the sale, trade or lease is for a consideration
12 of one hundred thousand dollars (\$100,000) or more; and

13 WHEREAS, the property control division of the general
14 services department desires to enter into a long-term lease to
15 lease the property upon which the substance abuse treatment and
16 training facility will be built;

17 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
18 STATE OF NEW MEXICO that the property control division of the
19 general services department, on behalf of the human services
20 department, be authorized to enter into an agreement for the
21 lease purchase of a building at the correctional site of the
22 Los Lunas campus in Valencia county for use by the human
23 services department as a substance abuse treatment and training
24 facility and that such agreement is hereby ratified and
25 approved pursuant to the provisions of Section 15-3-35 NMSA

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1 1978, subject to the conditions of this resolution; and

2 BE IT FURTHER RESOLVED that the property control division
3 of the general services department be authorized to enter into
4 a long-term lease for the purpose of leasing the land upon
5 which the substance abuse treatment and training facility will
6 be built and that the land lease agreement is hereby ratified
7 and approved pursuant to the provisions of Section 13-6-3 NMSA
8 1978, subject to the conditions of this resolution; and

9 BE IT FURTHER RESOLVED that the lease purchase agreement
10 shall provide that it does not create a legal obligation for
11 the property control division of the general services
12 department or the human services department to continue the
13 lease from year to year or to purchase the real property; and

14 BE IT FURTHER RESOLVED that the lease purchase agreement
15 shall provide that, if the real property is purchased, the
16 title to the property shall be issued in the name of the
17 property control division of the general services department;
18 and

19 BE IT FURTHER RESOLVED that the lease purchase agreement
20 shall not be finalized until the form of the agreement has been
21 approved by the attorney general; and

22 BE IT FURTHER RESOLVED that the land lease agreement and
23 the lease purchase agreement shall not be finalized until they
24 have been reviewed by the capitol buildings planning commission
25 for consideration as to whether the agreements are the most

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1 cost-effective method for acquiring the building and whether
2 the building and its proposed use are within the scope of the
3 commission's master plan; and

4 BE IT FURTHER RESOLVED that copies of this resolution be
5 transmitted to the human services department, to the property
6 control division of the general services department and to the
7 capitol buildings planning commission.

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