

# Sandoval County Board of County Commissioners

## Agenda Item Summary

**AGENDA ITEM # 8-21-14.8B**

**1. REQUESTED MOTION**

**ACTION REQUESTED:**

Adopt Resolution No. 8-21-14.8B Authorizing and Approving Submission of a Public Project Revolving Fund Building Application for Financial Assistance and Project Approval in the Amount of \$6,023,389 to the New Mexico Finance Authority to Construct a New Magistrate Court Building Adjacent to the Judicial Complex and County Administration Building

**WHY ACTION IS NECESSARY (Summary):**

Sandoval County would like to apply for financial assistance in the amount of \$6,023,389 from the Finance Authority to Construct a New and Larger Magistrate Court Facility. The Administrative Office of the Courts is currently leasing space from the County to house Sandoval County Magistrate Court, Division I and III, located at 1000 Montoya Road, Bernalillo NM. The current facility is no longer adequate for Sandoval County Magistrate Court requirements.

**2. REQUESTOR**

COMMISSIONER SPONSORED:  YES  NO

DISTRICT:  DISTRICT 1     DISTRICT 4  
 DISTRICT 2     DISTRICT 5  
 DISTRICT 3

DIRECTOR / ELECTED:

DIVISION:

ELECTED OFFICE:

ATTACHMENTS:  YES  NO

**3. MEETING DATE**

August 21, 2014

**4. AGENDA (To be completed by County Manager)**

- PROCLAMATION
- PRESENTATION
- CONSENT
- REGULAR
- APPEAL

**5. RECOMMENDATIONS**

Recommends Board of County Commission approval.

**6. FISCAL IMPACT**

None

**7. RECOMMENDED APPROVAL (Initials & Date)**

Department Director/Elected Official	Human Resources	Purchasing	Attorney As to Form PFT	Finance Budget	County Manager PPR	Other
TMJ 8/15/14	_____	_____	8/15/14	_____	8/15/14	_____

**8. COMMISSION ACTION**

- Approved     Denied     Deferred     Other

**SANDOVAL COUNTY, NEW MEXICO**  
**RESOLUTION NO. 8-21-14.8B**

AUTHORIZING AND APPROVING SUBMISSION OF A COMPLETED  
APPLICATION FOR FINANCIAL ASSISTANCE AND PROJECT APPROVAL  
TO THE NEW MEXICO FINANCE AUTHORITY

WHEREAS, Sandoval County ("Governmental Unit") is a qualified entity under the New Mexico Finance Authority Act, Sections 6-21-1 through 6-21-31, NMSA 1978 ("Act"), and the Sandoval County Commission ("Governing Body") is authorized to borrow funds and/or issue bonds for financing of public projects for benefit of the Governmental Unit; and

WHEREAS, the New Mexico Finance Authority ("Authority") has instituted a program for financing of projects from the public project revolving fund created under the Act and has developed an application procedure whereby the Governing Body may submit an application ("Application") for financial assistance from the Authority for public projects; and

WHEREAS, the Governing Body intends to undertake the funding of a new loan to finance a new Magistrate Court building located adjacent to the current Judicial Complex and County Administrative Offices and other associated costs ("Project") for the benefit of the Governmental unit and its citizens; and

WHEREAS, the application prescribed by the Authority has been completed and submitted to the Governing Body (attached) and this resolution approving submission of the completed Application to the Authority for its consideration and review is required as part of the Application.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE COUNTY OF SANDOVAL:

Section 1. That all action (not consistent with the provision hereof) heretofore taken by the Governing body and the officers and employees thereof directed toward the Application and the Project, be and the same is hereby ratified, approved and confirmed.

Section 2. That the completed Application submitted to the Governing Body be and the same is hereby approved and confirmed.

Section 3. That the officers and employees of the Governing Body are hereby directed and requested to submit the completed Application to the Authority for its review, and are further authorized to take such other action as may be requested by the Authority in its consideration and review of the Application and to further proceed with arrangements for financing the Project.

Section 4. All acts and resolutions in conflict with this resolution are hereby rescinded, annulled and repealed.

Section 5. This resolution shall take effect immediately upon its adoption.

PASSES APPROVED AND ADOPTED this 21<sup>st</sup> day of August, 2014.

Sandoval County Commission

By \_\_\_\_\_  
Darryl Madalena, Chairman

(Seal)

ATTEST:

\_\_\_\_\_  
Authorized Officer



**NEW MEXICO  
FINANCE AUTHORITY**

<b>NMFA Use Only:</b>	
<b>App. #:</b>	-PP
<b>FA assigned:</b>	
<b>Legislative Authorization</b>	

**PUBLIC PROJECT REVOLVING FUND  
BUILDING APPLICATION**

**I. GENERAL INFORMATION**

**A. APPLICANT /ENTITY**

		<b>Application Date:</b> 8/21/2014	
<b>Applicant/Entity:</b>	Sandoval County		
<b>Address:</b>	1500 Idalia Rd, Building D. Bernalillo, New Mexico 87004		
<b>County</b>	Sandoval	<b>Census Tract:</b>	
<b>Federal Employer Identification Number (EIN) as issued by the IRS:</b>		85-6000244	
<b>Legislative District:</b>	<b>Senate:</b>		<b>House:</b>
<b>Phone:</b> (505)857-7538	<b>Fax:</b>		<b>Email Address:</b> prios@sandovalcountynm.gov
<b>Individual Completing Application:</b>	Robert M. Burpo		
<b>Address:</b>	2155 Louisiana NE Suite 10100 Albuquerque, New Mexico 87110		
<b>Phone:</b> 505)883-0083	<b>Fax:</b> (505) 883-7644	<b>Email Address:</b>	rob@firstamericanfa.com

**B. CONSULTING PROFESSIONALS (Bond/Legal Counsel, Architect, Engineer, etc.), if available:**

<b>Firm:</b>	Modrall Sperling		
<b>Contact:</b>	Daniel Alsup, Duane Brown		
<b>Address:</b>	500 Fourth St. NW, Suite 1000 Albuquerque, New Mexico 87102		
<b>Phone:</b> (505)848-1854	<b>Fax:</b> (505) 449-2054	<b>Email Address:</b>	dma@modrall.com

**C. PRIMARY CONTACT PERSON:**

<b>Name:</b>		First American Financial Advisors, Inc.			
<b>Contact:</b>		Rob Burpo			
<b>Address:</b>		2155 Louisiana NE Suite 10100 Albuquerque, New Mexico 87110			
<b>Phone:</b>	(505)8830083	<b>Fax:</b>	(505) 883-7644	<b>Email Address:</b>	rob@firstamericanfa.com

**II. PROJECT SUMMARY**

**A. Project Description.** Complete the following information, using additional paper if necessary. Include any additional documents that may be useful in reviewing this project, i.e. architectural designs, feasibility studies, business plan, etc.

1. Description of the project. Construction of a new Magistrate Court building adjacent to the County's Judicial Complex and Administration Building

2. Proposed Project Start Date: 1/1/2015 Proposed Project Completion Date: 1/1/2017  
 When do you need NMFA funds available? 1/1/2015

3. How will the ongoing maintenance, operation, and replacement of this project be funded? Through a lease between Sandoval County and the Administrative Office of the Courts (AOC).

4. Provide a detailed drawdown schedule for project payments. The schedule may reflect monthly or quarterly payments. Attached

**B. Total Project Cost & Sources of Funds Detail.** See Sources and Uses attached.

Construction Activities	NMFA Funds Requested	Other Public Funds*	Private Funds	Total
Planning and Design – Engineering	\$504,207	\$	\$	\$
Construction	\$4,788,589	\$	\$	\$
Misc. Costs	\$280,210	\$	\$	\$
<b>Financing Activities</b>				
NMFA Fee	\$	\$	\$	\$
Cost of Issuance	\$85,000	\$	\$	\$
Debt Service Reserve Fund **	\$	\$	\$	\$
<b>Total Cost:</b>	<b>\$6,023,389</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>

\*Specify any other public funds, and amounts and terms of these funds, i.e. FmHA, CDBG, EPA, etc.

Source	Amount	Terms / # of Years
** Debt Service Reserve Fund will be funded annually from excess proceeds from the AOC lease until fully funded		
<b>Total:</b>		

Attach a letter verifying that each non-NMFA funding source has been approved, or is in the process of being approved for this project. Explain any exceptions.

C. Will this project require right-of-way acquisition? Yes  No \*

If yes, specify any right-of-way needs, and whether acquisition may or may not delay beginning of project.

D. Who will hold title to the land where the project is to be located? Sandoval County

If this is land owned by the Bureau of Land Management, State Land Office, or Tribal Land, please attach lease agreements. (If there is no clear title, attach an explanation of ownership arrangements.

E. Does this project require a Joint Powers Agreement (JPA)? Yes \* No

Instead of a JPA, the County and AOC will enter into an eighteen year (18) lease

### III. FINANCING

A. 1. Specify the revenue to be pledged as security for the NMFA loan (a revenue source must be pledged for this type of project).

- Municipal Local Option GRT – please specify: \_\_\_\_\_
- County Option GRT – please specify: \_\_\_\_\_
- Other Tax-Based Revenue: \_\_\_\_\_
- State-Shared GRT
- Law Enforcement Funds
- Fire Protection Funds
- Net System Revenues: \_\_\_\_\_
- \* Other Revenue: \_\_\_\_\_

AOC 18 Year Lease

2. Is there an alternative revenue source available to pledge to pay debt service in the event that the primary pledged revenue is unavailable or insufficient? Yes  No \* If yes, specify:
3. Preferred financing term: 2 years interest only, 18 years fully amortizing

**B.** Is any debt being repaid from the revenue source(s) referenced in A (1)? Yes  No \*

**If yes, provide bond or loan documents and payment schedule for any existing debt service being paid from the same revenues that would be used to repay a NMFA loan. Attached**

#### **IV. READINESS TO PROCEED ITEMS**

**A.** The following items must accompany this application in order for this application to be considered complete:

- Equipment cost breakdown (if applicable)
- Three most recently completed fiscal year audit reports
- Current unaudited financials
- Current fiscal year budget
- Verification of ownership of land where project will be located
- Documentation that each non-NMFA project funding source has been approved, or is in the process of being approved (if applicable)
- Joint Powers Agreement (if applicable)

**B.** In addition, complete the following information, using additional paper as necessary. **These items will be required prior to disbursement of NMFA proceeds:**

- Provide a detailed drawdown schedule for project payments. Attached
- Final technical information for the project, stamped and approved by a registered engineer
- Cost breakdown of the project, certifiable by either an engineer or architect
- Area map, site map, and floor map (if applicable)
- Verification of ownership of land where project will be located
- Documentation that each Non-NMFA project funding source has been approved, or is in the process of being approved (if applicable)
- Documentation showing status of right-of-way acquisition (if applicable)

- Explanation of land ownership arrangements (if applicable)
- List all required permits and licenses necessary to complete this project. Detail the status of each item, a plan of action, and time frame for completing incomplete permits and licenses. Also provide a copy of all permits and licenses.
- Is there litigation pending which would have a bearing on this project or applicant?  
Yes  No \*   
If yes, provide a complete summary of all circumstances relating to such litigation.
- Indicate the regular meeting dates for your authorizing body: Third Thursday of each month

### V. CERTIFICATION

**I certify that:**

**We have the authority to request and incur the debt described in this application and, upon award, will enter into a contract for the repayment of any NMFA loans and/or bonds.**

**We will comply with all applicable state and federal regulations and requirements.**

**To the best of my knowledge all information contained in this application is valid and accurate and the submission of this application has been authorized by the governing body of the undersigned jurisdiction.**

**Signature:** \_\_\_\_\_ **Title:** **Commission Chairman**  
(highest elected official)

**Jurisdiction:** **Sandoval County Commission**

**Print Name:** **Darryl Madalena** **Date:** **August 21, 2014**

**Signature:** \_\_\_\_\_ **Date:** **August 21, 2014**

**Finance Officer/Director:** **Cassandra Herrera**