

INCORPORATED COUNTY OF LOS ALAMOS RESOLUTION NO. 21-25

A RESOLUTION AUTHORIZING THE COUNTY COUNCIL CHAIR OR LOS ALAMOS COUNTY UTILITIES MANAGER TO APPROVE SUBMISSION OF COMPLETED APPLICATIONS AND NECESSARY DOCUMENTS FOR 2022 APPLICATIONS TO THE WATER TRUST BOARD FOR FUNDING NON-POTABLE WATER SYSTEM PROJECTS

WHEREAS, the 2001 Legislature enacted the Water Project Finance Act which created the Water Project Fund ("Fund") in the State's New Mexico Finance Authority ("NMFA") and charged the NMFA with the administration of the Fund and the Water Trust Board ("WTB"); and

WHEREAS, the Incorporated County of Los Alamos ("County") is a qualified entity under the New Mexico Finance Authority Act, NMSA 1978, §§ 6-21-1 through 6-21-31 (2003) ("Act"), and County is authorized to borrow funds and/or issue bonds for financing of public projects for the benefit of County; and

WHEREAS, the NMFA has instituted a program for financing of projects from the Fund created under the WTB Act (Sections 19.25.10.1 through 19.25.10.20, NMAC 2008) and has developed an application procedure whereby the County Council ("Governing Body") may submit an application ("Application") for financial assistance from the NMFA for public projects; and

WHEREAS, County intends to undertake replacements for its Non-Potable Water System projects ("Projects") for the benefit of County and its citizens; and

WHEREAS, County acknowledges a commitment to provide the necessary match funding and funding for future operations and maintenance for these Projects for the benefit of County and its citizens; and

WHEREAS, the WTB requests, as part of the application process, adoption and submittal of a resolution of commitment to the implementation of an asset management plan; and

WHEREAS, County and WTB's investments shall be protected and maintained for optimum longevity through County's asset management plan; and

WHEREAS, the Applications for WTB funding, as prescribed by NMFA, together with this Resolution, shall be completed and submitted by the Governing Body to NMFA for its consideration and review; and

WHEREAS, the Applications for WTB funding, as prescribed by NMFA, together with this Resolution was recommended to be forwarded to the County Council by the County's Board of Public Utilities ("Board") on September 28, 2021; and

WHEREAS, a meeting of the County Council was held on this date to consider the authorization and submission of the Applications for 2022 WTB Funding Requests for County's Non-Potable Water System projects, implementation of and administration of an asset management plan, and authorization for match and operation and maintenance funding.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE Incorporated County of Los Alamos:

Section 1. That the Chair of the Incorporated County of Los Alamos Council, the County's Utility Manager ("Utilities Manager") and necessary employees are hereby directed, authorized and requested to submit the necessary documents and applications to NMFA for its review of the project ("Project") which is Construction of Bayo Non-Potable Booster Station New Tank and Existing Tank, Piping, Metering and Controls Upgrades, and are further authorized to take such other action as may be requested by the NMFA in its consideration and review of the Application(s) and to further proceed with arrangements for financing the Project.

Section 2. The Council further provides authorization for the Utilities Manager to allocate required matching grant funding for the Project and for any future operation and maintenance costs of the Project if the Projects and applications are accepted.

Section 3. All acts and resolutions in conflict with this Resolution are hereby rescinded, annulled and repealed.

Section 4. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED this 28th day of September, 2021.

**COUNCIL OF THE INCORPORATED
COUNTY OF LOS ALAMOS**

**Randall T. Ryti
Council Chair**

ATTEST:

**Naomi D. Maestas
Los Alamos County Clerk**