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45 **Certification of Pre-Construction Phase and Resolution**

46 **RESOLUTION 05-26-09**

47 **Whereas**, funds from the American Recovery and Reinvestment Act (ARRA) of 2009,  
48 (Pub. L. 111-5) appropriated by the United States Congress, signed into law on  
49 February 17, 2009 and apportioned on March 2, 2009 are available to local  
50 governments through the Federal Surface Transportation Program administered by the  
51 New Mexico Department of Transportation (Department);

52 **Whereas**, it is necessary for the local government to enter into an agreement with the  
53 Department in order to receive funding from ARRA;

54 **Whereas**, the Town of Bernalillo (Town) and the Department entered into the American  
55 Recovery and Reinvestment Act of 2009, Cooperative Project Agreement on the  
56 day of May 26, 2009 (Agreement); and,

57 **Whereas**, the governing body of the **Town** met on May 26, 2009 and  
58 adopted the resolution set forth below for Control No. **ESL3310**.

59

60 **NOW THEREFORE BE IT RESOLVED BY AND CERTIFIED BY THE UNDERSIGNED**  
61 **FOR AND ON BEHALF OF THE TOWN:**

- 62 1. That the Town has complied with all applicable terms, conditions and certification  
63 requirements of the Agreement.
- 64 2. That the Town has completed environmental coordination and obtained Department  
65 and FHWA approval of the environmental, Right of Way, Utility, and Railroad  
66 documents and completed the consultation process with the State Historic  
67 Preservation Officer as required by law. Furthermore, the Town has complied with  
68 all applicable requirements listed in Section Four of the Agreement.
- 69 3. The project has received the Town's full review and vetting required by law and the  
70 Town accepts responsibility for the project. The Town further certifies that the  
71 federal funding amount is an appropriate use of taxpayer dollars.
- 72 4. By requesting ARRA funds the Town commits to fulfill all reporting requirements  
73 listed in Section Two of the Agreement. The Department may withdraw ARRA  
74 funds if the Town fails to meet any of the applicable requirements.

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76 Mayor Chávez called for a vote.

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78 Councilor Montoya moved to adopt Resolution 05/26/09 Certification of Pre-  
79 Construction Phase for the American Recovery and Reinvestment Act of 2009 appropriated by  
80 the United States Congress, signed 2/17/09 and apportioned 3/2/09 through the Federal Surface

81 Transportation Program administered by the New Mexico Department of Transportation. The  
82 motion was seconded by Councilor Sisneros and the motion carried unanimously.  
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84 **NEW BUSINESS: 7b) Discussion, Consideration and Action on Approval of**  
85 **Adoption of Resolution 05/26/09A 2009-2010 Final Budget Adoption. Presenter: Juan**  
86 **Torres**

87  
88 **STATE OF NEW MEXICO**  
89 **MUNICIPALITY OF TOWN OF BERNALILLO**  
90 **RESOLUTION NO. 5-26-09A**  
91 **2009-2010 FINAL BUDGET ADOPTION**  
92 **(98<sup>TH</sup> FISCAL YEAR)**  
93  
94

95 **WHEREAS**, the Governing Body in and for the Municipality of the Town of Bernalillo,  
96 State of New Mexico has developed a budget for fiscal year 2009-2010, and  
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98 **WHEREAS**, said budget was developed on the basis of need and through cooperation  
99 with all user departments, elected officials and other department supervisors, and  
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101 **WHEREAS**, the official meetings for the review of said documents were duly  
102 Advertised in compliance with the State Open Meetings Act, and  
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104 **WHEREAS**, it is the majority opinion of this Board that the final budget meets the requirements  
105 as currently determined for fiscal year 2009-2010, and  
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107 **NOW, THEREFORE, BE IT HEREBY RESOLVED** that the Governing Body of the  
108 Municipality of the Town of Bernalillo, State of New Mexico hereby adopts the budget  
109 hereinabove described and respectfully requests approval from the Local Government Division of  
110 the Department of Finance and Administration.

111  
112 Mayor Chávez called for a vote.

113  
114 Councilor Montoya moved to adopt Resolution 05/26/09A 2009-2010 Final Budget Adoption.  
115 The motion was seconded by Councilor Sisneros and the motion carried unanimously.  
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117 **FINANCIAL SECTION:8a) Approval of Account Payable List.**

118 Councilor Montoya asked for information on the voucher for the new chairs purchased for the  
119 courtroom where will those chair go if the court room is now in the council chambers.  
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121 Ida Fierro stated that the chairs would go to the new MVD area.  
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123 Councilor Sisneros asked about the new air conditioner unit.

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Santiago Chavez stated the coil section was cracked, water stayed in the coil and it froze. To replace the coils was \$20,000 and a new unit was \$33,000. The unit was sent out for a bid and the low bidder was chosen which was A. L. Heating. A. L. Heating is currently maintaining the unit. It was user error that caused the old unit to break.

Councilor Sisneros stated that we should continue using a professional to service the unit to avoid the loss of the unit in the future.

Councilor Sisneros made a motion to approve all the vouchers presented for payment. The motion was seconded by Councilor Montoya and the motion carried unanimously.

There being no further business, the meeting was adjourned at 6:55P.M.  
Done this 26th day of May 2009.

ATTEST:

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Ida Fierro, Town Clerk

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Patricia A. Chávez, Mayor

(seal)