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RESOLUTION 26-XX

A RESOLUTION ADOPTING AN ASSET MANAGEMENT PLAN FOR THE CITY OF ROSWELL; ADOPTING A RESERVE POLICY TO FUND THE ASSET MANAGEMENT PLAN; RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTION INCONSISTENT WITH THIS RESOLUTION; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE IMPLEMENTATION OF THE ASSET MANAGEMENT PLAN AND RESERVE POLICY

WHEREAS, City Of Roswell is a legally and regularly created, established, organized and existing municipality under the general laws of the State of New Mexico and more specifically, NMSA §3-2-1 et seq. NMSA 1978, as amended and supplemented; and

WHEREAS, the City of Roswell applied on February 2, 2023 to the New Mexico Finance Authority (the “Finance Authority”) for partial financing of the development of an Asset management plan (the “Plan”) with a grant from the local government planning fund (the “Fund”) established pursuant to Section 6-21-6.4, NMSA 1978, as amended and supplemented; and

WHEREAS, the City of Roswell’s request for partial financing of the Plan with a grant from the Fund was approved by the Board of Directors of the Finance Authority on 4/27/2023; and

WHEREAS, pursuant to its rules and policies, the Finance Authority requires that certain action be taken by the City of Roswell prior to executing a Grant Agreement and disbursing the grant amount to the City of Roswell from the Fund; and

WHEREAS, the City of Roswell adopted Resolution # 23-26 on June 8, 2023, committing to the development of and implementation of the Plan, affirming use of the principles outlined in the New Mexico Environmental Center’s A.M. Kan Work Manual in the development and implementation of the Plan, and designating an Asset Management Steering Committee and an Authorized Implementing Officer for the Plan; and

WHEREAS, the City of Roswell desires to take all necessary action as required by the Finance Authority in order to be eligible to receive the grant amount from the Fund.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL AS THE GOVERNING BODY OF THE CITY OF ROSWELL, NEW MEXICO, that:

SECTION 1. Ratification. All action heretofore taken (not inconsistent with the provisions of this Resolution) by the City of Roswell, its officers and employees, directed toward the development, implementation and financing of the Plan shall be, and the same hereby is, ratified, approved and confirmed

SECTION 2. Adoption of the Plan. The City Council of the City of Roswell hereby makes the following findings and adopts the Plan, attached hereto as Exhibit A.

A. The Plan properly utilizes the principles outlined in the New Mexico Environmental

1 Center's A.M. Kan Work Manual.

2 B. The Asset Management Steering Committee and Authorized Implementing Officer
3 have certified that the Plan is appropriate and complete.
4

5 SECTION 3. Adoption of the Reserve Policy. Pursuant to Finance Authority rules and policies,
6 the City Council of the City of Roswell adopts the Reserve Policy, attached hereto as Exhibit B,
7 that identifies the allocation of reserves to fund the Plan with an annual target.
8

9 SECTION 4. Establishment of Rate Schedule. Pursuant to Finance Authority rules and policies,
10 the City Council of the City of Roswell affirms that its rate schedule adequately covers the amount
11 of the reserve outlined in the above Reserve Policy.
12

13 SECTION 5. Amendment of Resolution. This Resolution after its adoption may be amended
14 without receipt by the City of Roswell of any additional consideration, but only with the prior
15 written consent of the Finance Authority.
16

17 SECTION 6. Resolution Irrepealable. After the Grant Agreement has been executed and
18 delivered, this Resolution shall be and remains irrepealable until all obligations of the Grantee
19 under the Grant Agreement shall be fully discharged, as herein provided.
20

21 SECTION 7. Severability Clause. If any section, paragraph, clause or provision of this
22 Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or
23 unenforceability of such section, paragraph, clause or provision shall not affect any of the
24 remaining provisions of this Resolution.
25

26 SECTION 8. Repealer Clause. All bylaws, orders, resolutions, ordinances, or parts thereof,
27 inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer
28 shall not be construed to revive any bylaw, order, resolution or ordinance, or part thereof,
29 heretofore repealed.
30

31 SECTION 9. Effective Date. Upon due adoption of this Resolution, it shall be recorded in the
32 book of City of Roswell kept for that purpose, authenticated by the signatures of the Mayor and
33 City Clerk of the City of Roswell, and this Resolution shall be in full force and effect thereafter,
34 in accordance with law; provided, however, that if recording is not required for the effectiveness
35 of this Resolution, this Resolution shall be effective upon adoption of this Resolution by the City
36 Council of the City of Roswell.
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1 PASSED, ADOPTED, SIGNED and APPROVED _____, _____.
2

3 CITY SEAL
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5
6 _____
7 Timothy Z. Jennings, Mayor

8 ATTEST
9

10 _____
11 Amalia Martinez, City Clerk

DRAFT