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CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2013-31

INTRODUCED BY:

Councilor Calvert
Councilor Bushee

A RESOLUTION

**AUTHORIZING AND APPROVING SUBMISSION OF AN EXECUTED AGREEMENT TO
AUTHORIZE RECEIPT OF A GRANT FROM THE NEW MEXICO ENVIRONMENT
DEPARTMENT, AIR QUALITY BUREAU IN THE AMOUNT OF \$114,670 FOR THE
PURCHASE OF A COMPRESSED NATURAL GAS RECYCLING COLLECTION UNIT
THROUGH FUNDING RECEIVED PURSUANT TO THE FEDERAL DIESEL EMISSIONS
REDUCTION ACT (DERA).**

WHEREAS, the New Mexico Environment Department (NMED) has received a one-time Diesel Emissions Reduction Act (“DERA”) federal grant from the U.S. Environmental Protection Agency (“EPA”) for the purpose of reducing diesel engine emissions; and

WHEREAS, the City of Santa Fe (“Grantee”) is in the process of submitting a grant agreement (“Agreement”) to the NMED for funds in the amount of \$114,670, for the purpose of purchasing a compressed natural gas recycling unit; and

WHEREAS, the New Mexico Legislature has enacted the Air Quality Control Act, NMSA 1978, §§ 74-2-1, et seq.; and

1 **WHEREAS**, Section 74-2-5.1(F) of the Air Quality Control Act authorizes NMED to accept,
2 receive and administer grants from the federal government; and

3 **WHEREAS**, the Agreement between the City and NMED is exempt from the provisions of the
4 Procurement Code in accordance with NMSA 1978, § 13-1-98A; and

5 **WHEREAS**, based upon the criteria established within the scope of work of the Agreement,
6 the City has a qualified program for the diesel emissions reduction retrofit project; and

7 **WHEREAS**, the City is a qualified entity to receive such a grant and the Governing Body is
8 authorized to borrow funds and/or issue bonds and/or receive financial assistance (e.g., grants) for
9 financing public projects for the benefit of the City and its citizens.

10 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
11 **CITY OF SANTA FE** that the Governing Body authorizes and approves the submission of an
12 executed agreement to authorize receipt of a grant from NMED, Air Quality Bureau, in the amount of
13 \$114,670, for the purchase of a compressed natural gas recycling collection unit through funding
14 received pursuant to the Federal Diesel Emissions Reduction Act.

15 **BE IT FURTHER RESOLVED** that:

16 **Section 1.** All action taken by the Governing Body and the officers and employees of
17 the City of Santa Fe directed toward the Agreement and the Project is hereby ratified, approved, and
18 confirmed.

19 **Section 2.** The completed and executed Agreement submitted to the Governing Body is
20 approved and confirmed.

21 **Section 3.** The officers and employees of the City of Santa Fe are hereby directed and
22 requested to submit the completed Agreement to the Air Quality Bureau of the NMED for its review
23 and are further authorized to take such other action as may be requested by the NMED in its
24 consideration and review of the Agreement and to further proceed with arrangements for providing
25 grant financing to the Project.

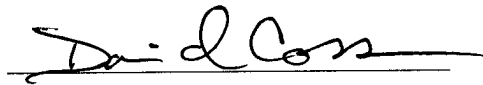
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Section 4. The Governing Body adopts and passes this resolution authorizing the Mayor to sign the Agreement for this grant and appointing the City Manager and/or the Public Utilities Director or the Environmental Services Division Director as the Grantee Representatives authorized to submit any documents pertaining to the project and act as the point(s) of contact.

Section 5. This resolution authorizes the City Manager and the Environmental Services Division Director, as the Signatory Authority(s) authorized to sign reimbursement requests and other documents requiring a signature for submittal to NMED.

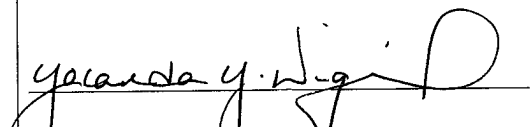
Section 6. This resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, and ADOPTED this 27th day of March, 2013.




DAVID COSS, MAYOR

ATTEST:


VOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:


GENO ZAMORA, CITY ATTORNEY

M/Melissa/Resolutions 2013/2013-31 NMED Grant