



Meeting Date: December 2, 2015
Staff Contact: Stan Allred, Chief Financial Officer

TITLE: C-15-28 - State Certification of the Albuquerque Bernalillo County Water Utility Authority FY2016 Budget

ACTION: Receipt be Noted

SUMMARY:

The Local Government Division of the State has certified the Albuquerque Bernalillo County Water Utility Authority's FY2016 budget in accordance with Section 6-6-2-(E) NMSA 1978. State statute requires that budgets approved by the Local Government Division be made part of the minutes of the governing board. This item's inclusion on the Consent Agenda for the December meeting satisfies the requirement. The certification letter is attached.

FISCAL IMPACT:

None.

SUSANA MARTINEZ
GOVERNOR



THOMAS E. CLIFFORD, Ph.D.
CABINET SECRETARY

RICK LOPEZ
DIRECTOR

BILL R. GARCIA
Deputy Director

STATE OF NEW MEXICO
DEPARTMENT OF FINANCE AND ADMINISTRATION
LOCAL GOVERNMENT DIVISION
Bataan Memorial Building ♦ 407 Galisteo St. ♦ Suite 202 ♦ Santa Fe, NM 87501
PHONE (505) 827-4950 ♦ FAX (505) 827-4948

September 4, 2015

Mark Sanchez
Executive Director
Albuquerque – Bernalillo County Water Authority
Once Civic Plaza Room 5012
Albuquerque, NM 87102

Dear Mr. Sanchez:

The final budget for your local government entity ("entity") for Fiscal Year 2016, as approved by your governing body, has been examined and reviewed. The Department of Finance and Administration, Local Government Division (LGD) finds it has been developed in accordance with applicable statutes and budgeting guidelines, and sufficient resources appear to be available to cover budgeted expenditures. In addition, the *Budget Certification of Local Public Bodies* rule, 2.2.3 NMAC, requires that your entity's audit for Fiscal Year 2014 should have been submitted to the Office of the State Auditor as of this time. The LGD's information indicates that you are in compliance with this requirement. Therefore, in accordance with NMSA 1978, Section 6-6-2 (E) (2011), the LGD certifies your entity's final Fiscal Year 2016 budget.

Please take note that state statute requires all revenue sources be expended only for public purposes, and if applicable, in accordance with the Procurement Code, Chapter 13, Article 1, NMSA 1978. Use of public revenue is governed by Article 9, Section 14 of the Constitution of the State of New Mexico, commonly referred to as the anti-donation clause.

Budgets approved by the LGD are required to be made a part of the minutes of your governing body according to NMSA 1978, Section 6-6-5 (1957). In addition, NMSA 1978, Section 6-6-6 (2001) provides that the approved budget is binding on local officials and governing authorities; and any official or governing authority approving claims or paying warrants in excess of the approved budget or available funds will be liable for the excess amounts.

Finally, as required by NMSA 1978, Section 6-6-2 (H) (2011), LGD is required to approve all transfers between line items and revised budgets for expenditures not included in the final approved budget.

If you have questions regarding this matter, please call Anita Medina of my staff at 505-827-8062.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rick Lopez".

Rick Lopez, Director
Local Government

xc: file