

**THE BOARD OF COUNTY COMMISSIONERS  
OF SANTA FE COUNTY  
RESOLUTION NO. 2016-109**

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**A RESOLUTION ENDORSING THE NEW MEXICO  
ASSOCIATION OF COUNTIES' RESOLUTION SUPPORTING  
LEGISLATION DURING THE 2017 SESSION THAT WOULD  
PROVIDE COUNTIES CERTAIN RIGHTS AND PROTECTIONS  
REGARDING CAPITAL OUTLAY APPROPRIATIONS TO  
NON-GOVERNMENTAL ENTITIES**

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**WHEREAS**, the New Mexico State Legislature appropriates capital outlay funds to various non-governmental entities, such as not-for-profit or non-profit agencies; and

**WHEREAS**, the State of New Mexico funds capital outlay projects with severance tax bonds, resulting in increased regulations and responsibilities for counties to comply with State-imposed conditions in regards to contracts, anti-donation issues, contract monitoring, accounting, and reporting requirements; and

**WHEREAS**, the New Mexico Association of Counties (NMAC") has resolved in Economic Development and Infrastructure Policy Committee No. 1 ("NMAC Resolution") to support legislation during the 2017 Legislative Session that would: (a) recommend that acceptance of capital outlay funds on behalf of nongovernmental entities should require approval of the governing body of the affected county prior to submission to any member of the State Legislature; (b) require any project presented by non-governmental entities to be reviewed for its fiscal impact to the affected county's current and recurring finances; (c) allow county governing bodies to suspend acceptance of 2017 Legislative Session capital outlay funds on behalf of non-governmental entities for purchase of vehicles and information technology and any capital outlay expenditure less than \$50,000; and (d) authorize county governing bodies to approve the collection of a three percent (3%) administrative fee based on the amount of capital outlay from any nongovernmental entity with whom the county enters into an agreement to expend capital outlay funds beginning with the 2017 State Legislative Session appropriations, but allowing the administrative fee to be waived or modified by majority vote of the governing body.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Santa Fe County that the County supports legislation that would amend the Act in accordance with the NMAC Resolution.

PASSED, APPROVED, AND ADOPTED ON THIS 27<sup>th</sup> DAY OF SEPTEMBER, 2016  
THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY

BOARD OF COUNTY COMMISSIONERS  
OF SANTA FE COUNTY

By: Miguel M. Chavez  
Miguel M. Chavez, Chair

Date: 9/27/16

ATTEST:

Geraldine Salazar  
Geraldine Salazar, Santa Fe County Clerk

Date: 9-27-2016



APPROVED AS TO FORM:

Gregory S. Shaffer  
Gregory S. Shaffer, Santa Fe County Attorney

Date: 9/16/2016



COUNTY OF SANTA FE ) BCC RESOLUTIONS  
STATE OF NEW MEXICO ) ss PAGES: 2  
I Hereby Certify That This Instrument Was Filed for  
Record On The 28TH Day Of September, 2016 at 09:07:14 AM  
And Was Duly Recorded as Instrument # 1805575  
Of The Records Of Santa Fe County  
Witness My Hand And Seal Of Office  
Geraldine Salazar  
Deputy Juan Hernandez County Clerk, Santa Fe, NM

REC CLERK RECORDED 09/28/2016