

SANTA FE COUNTY

RESOLUTION NO. 2007-101

SFC CLERK RECORDED 06/26/2007

A RESOLUTION FOR ESTABLISHING AND IMPLEMENTING A PROPRIETY OF EXPENDITURES POLICY

WHEREAS, The Santa Fe County Finance Department is requesting approval to implement a policy & procedure regarding the propriety of County expenditures.

WHEREAS, the State of New Mexico, Department of Finance and Administration has established guidelines by which government entities should follow in regards to government expenditures.

WHEREAS, the requested policy addresses the criteria that should be considered for any County expenditure.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that this Resolution to approve and implement the Propriety of Expenditures Policy, is hereby adopted.

APPROVED, ADOPTED AND PASSED this 26th day of June 2007.

BOARD OF COUNTY COMMISSIONERS

Virginia Vigil
Virginia Vigil, Chairman

Valerie Espinoza
Valerie Espinoza, County Clerk



Approved As To Form

Stephen C. Ross
Stephen C. Ross, County Attorney

Finance Department Approval

Teresa C. Martinez
Teresa C. Martinez, Finance Director

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss
I Hereby Certify That This Instrument Was Filed for
Record On The 26TH Day Of June, A.D., 2007 at 16:28
And Was Duly Recorded as Instrument # 1489322
Of The Records Of Santa Fe County
Witness My Hand And Seal Of Office
Deputy *Marella* Valerie Espinoza
County Clerk, Santa Fe, NM

**FINANCE DEPARTMENT
ALL DEPARTMENTS**

PROCEDURE NO.: Resolution No. 2007 - COUNTY WIDE

TITLE: PROPRIETY OF EXPENDITURES

EFFECTIVE DATE: June 26, 2007 APPROVED BY: Teresa C. Martinez
Teresa Martinez, Finance Director

I. PURPOSE

To disseminate policy and provide procedures for certain expenditures of County funds by the various Elected Offices and Departments/Divisions of Santa Fe County.

II. SCOPE

This policy and procedure applies to any elected official or employee of Santa Fe County who requisitions or purchases items for her/his Department/ Division.

III. DEFINITIONS

For purposes of this policy the following definitions apply:

Department/Division – A subunit of County government which performs specific function(s) as prescribed by the State of New Mexico, the Board of County Commissioners, and/or the County Manager. This term will also be used to refer to the office of an elected official.

Public Benefit – Achieving a Department/Division's mission in whole or in part.

Public Purpose – Progress towards a Department/Division achieving its mission.

Expenditure – A payment or promise to pay for goods or services.

IV. GENERAL

A. Section 6-5-6(c) NMSA 1978 states: *A state agency shall determine that a proposed expenditure is for a public benefit and purpose consistent with the related appropriation and is necessary to carry out the statutory mission of the state agency prior to committing the state to the transaction.* The County of Santa Fe will adopt a policy for determining the appropriateness of expenditures of County funds that is consistent with the State of New Mexico requirements.

B. New Mexico State law grants various powers to Counties in New Mexico. NMSA 1978 Chapter 4-37-1 states "... *Included in this grant of powers to the counties are those powers necessary and proper to provide for the safety,*

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preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of any county or its inhabitants...” For purposes of this policy the powers granted under the above statute will be considered the County’s mission in addition to any other statutory or constitutional requirements, or County ordinance or published policy, together with legally authorized contractual commitments.

V. POLICIES AND PROCEDURES

- A. Each expenditure by a County Department/Division must be made consistent with the Department/Division’s mission.

- B. Each expenditure must contribute to the Department/Division achieving its mission in the two following ways:
 - 1. by serving a “public purpose” (NOTE: Expenditures must always be for a public purpose); and
 - 2. by providing a “public benefit.”
 - a. If an expenditure does not provide a public benefit the Finance Director and/or County Manager will require the Department/Division to document in writing why the expenditure is necessary.
 - b. If the public purpose, public benefit or both are not clear to the Finance Director and/or County Manager, she/he may require a Department/Division to provide a written clarification which will be used to make a final determination on whether to approve the expenditure.
 - c. If the Finance Director and/or County Manager concludes that an expenditure, by its very nature, does not provide a public purpose and/or benefit, the Finance Director and/or County Manager will not seek clarification and will simply disapprove the expenditure. Examples of this kind of expenditure may include but are not limited to reimbursement of an employee for alcoholic beverages consumed, or the cost of items (pictures of the employee, gifts, etc.) that will promote (advertise) the employee, or any other expenditure that is not deemed to be serving a public purpose, benefit, or necessary.

- C. A Department/Division must ensure that an expenditure is necessary to serve the desired public benefit, that any choice between options is made for the least amount of expenditure possible, and consistent with Santa Fe County procurement policies and procedures.
 - 1. It is the responsibility of the person completing a requisition for an item or service to ensure that the item is necessary to serve a public purpose or public benefit and that like or similar item(s) or service(s) cannot be obtained through a cheaper means.

- D. Each expenditure must have a purpose which is consistent with the Department/Division's budget as approved by the Board of County Commissioners and must be supported by actual resources.

VI. DISCRETIONARY SPENDING BY COUNTY COMMISSIONERS

- A. Each year budgeted amounts are set aside for each elected County Commissioner to use for discretionary spending.
 - 1. Any expenditures made by an elected Commissioner from her/his respective discretionary budget must be approved by the Board of County Commissioners.
 - 2. Each expenditure should follow the same criteria set forth in the preceding section V.A.-D.