



**TOWN OF TAOS, NEW MEXICO
RESOLUTION No: 08-30**

**A RESOLUTION SUPERSEDING 08-15 CREATING A FISCAL AGENT
POLICY TO GUIDE ORGANIZATIONS IN THE APPLICATION FOR
FUNDING WHERE THE TOWN OF TAOS WOULD ACT AS FISCAL AGENT
FOR THE ORGANIZATION**

Whereas, the Town of Taos Council receives numerous requests from organizations not associated with the Town, asking the Town of Taos to act as Fiscal Agent in their applications for funding; and

Whereas, the Council desires to institute a policy to create a process and a guide for such organizations.

NOW, THEREFORE BE IT RESOLVED BY, THE TOWN OF TAOS COUNCIL that: the following policy be adopted as a policy of the Town Council of the Town of Taos:

- 1. Statement of Purpose:** The Town of Taos may act as fiscal agent for Taos area qualified organizations seeking to receive State of New Mexico and other funds only after said organizations have come before the Town of Taos Council at an official meeting, and approved or denied for fiscal agency status by the Council. A form is available for applying for this status at the Grants Administrators office in the Town of Taos Town Hall, and on the Town's web site, <http://www.taosgov.com> (see forms).
- 2. Annual Application.** This fiscal agent application review must occur each year, and during the fiscal year (July 1 to June 30), in which the organization is

applying for the Town to act as its fiscal agent. An organization may apply for fiscal status, but not receive the funding they are pursuing. The Town understands this, and encourages qualified nonprofit organizations to apply for status in advance of potentially applying for and/or receiving funds. In this way the Town of Taos may declare its written intention to be the organization's fiscal agent for use by the organization in its potential funding pursuits with the State of New Mexico or others.

- 3. Application time period.** Ideally, organizations should apply through the Town of Taos Executive Department, Office of the Town Manager, for fiscal agent status **during the month of June**, just prior to the fiscal year (July 1 to June 30) in which they anticipate requiring the Town to perform as their fiscal agent. April is the month during which the Town of Taos preliminarily processes its own budget for the coming fiscal year, including approximation of required activity that will fall to staff members to complete, and **prioritization of its project/program requests for State of New Mexico Legislative appropriations**. Through this process the Town of Taos and its constituents will have the opportunity to comment on and assess their support for each project for which fiscal agency is requested, evaluating where it should fall in the overall priorities for the area's requested legislative appropriations. This will hopefully reduce confusion at the state legislature about priorities, and bolster a unified, effective approach when it comes to targeted appropriations.
- 4. Approval.** No letter or fiscal agent status shall be issued by any individual elected or staff member of the Town of Taos until the organization has been approved for

such status by the Town of Taos Council at a legally noticed public meeting. Any such unofficial letter shall be deemed null and void by the Town. Official letters shall be issued by the Town Manager, signed by the Mayor, with a copy also kept on file by the Grants Administrator, Town of Taos Finance Department.

- 5. Liability.** Fiscal agent status shall imply no liability or authority on the Town's behalf for the applying organization, the funding entity, or the project identified for funding.
- 6. Administrative Fee.** Organizations applying for fiscal agent status, receiving it from the Town of Taos, and ultimately securing funds to activate said status from the State of New Mexico, may be charged a reasonable administrative fee if allowed by the grant and by state law by the Town of Taos Finance Department for administering and managing said activity. This fee will be based on the actual hours incurred by any town employee's activities associated with implementing the funding. Such fees will be charged at the rate of \$25.00 per hour, plus actual expenses; not to exceed 10% of the total funding. Actual expenses are deemed to be copying (.10 cents per page), mileage, or any other operational costs incurred in the course of functioning as the fiscal agent for the organizations.
- 7. Effective Date.** This policy is effective this 20th day of May, 2008 as approved by the Town Council, the governing body of the Town of Taos.

TOWN OF TAOS

By _____
Bobby F. Duran, Mayor

ATTEST:

By _____
Renee Lucero, Town Clerk