



**TOWN OF TAOS
RESOLUTION 09-16**

AUTHORIZING THE MAYOR AND TOWN ATTORNEY TO CERTIFY COMPLIANCE WITH LAWS INCLUDING THE ANTI-DONATION CLAUSE FOR REIMBURSEMENT FROM STATE GENERAL FUND.

WHEREAS, the Town of Taos is bound by and wishes to comply with all applicable laws of the State of New Mexico and the New Mexico Constitution, including the “Anti-Donation Clause,” Article IX, Section 14 of the Constitution;

WHEREAS, by letter dated February 12, 2009, the Local Government Division (“LGD”) of the New Mexico Department of Finance and Administration informed the Town of Taos that the LGD would no longer condition the processing of reimbursements from the state’s general fund for projects involving leases or certain other agreements between local governments and private organizations upon local governments submitting such agreements to the LGD for its approval;

WHEREAS, the same February 12, 2009 letter from LGD stated that, instead, “for such general fund appropriations, LGD will (1) review the grant files for documentation already required by [the local government’s] grant agreements and (2) require a letter or other certification that is signed by an authorized representative of [the] local government’s governing body and its legal counsel; and states that all current and future agreements between your local government and any private for profit or private non-profit organization complies and/or will comply with all state laws, including but not limited to, the ‘anti-donation’ clause of the New Mexico Constitution, Article IX, Section 14;”

WHEREAS, the Town of Taos Council, as the governing body, wishes to comply with the foregoing directives from the LGD, and, in so doing, wishes to authorize the Mayor and the Town Attorney to sign the type of letter or other certification that LGC requires in its February 12, 2009 policy directive;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Town Attorney are hereby authorized to sign letters or other appropriate certifications stating that that all current and future agreements between the Town and any private for profit or private non-profit organization comply and/or will comply with all state laws, including but not limited to, the “anti-donation” clause of the New Mexico Constitution, Article IX, Section 14.

PASSED, RESOLVED and APPROVED this 10th day of March, 2009 at the Regular Meeting of the Town of Taos Council.

Councilmember Rudy C. Abeyta	<u>yes</u>
Councilmember A. Eugene Sanchez	<u>yes</u>
Councilmember Amy J. Quintana	<u>yes</u>
Councilmember Michael A. Silva	<u>yes</u>

TOWN OF TAOS

Darren M. Cordova, Mayor

ATTEST:

APPROVED AS TO FORM:

Renee Lucero, Town Clerk

Allen Ferguson, Jr., Town Attorney