

Bernalillo County Commission

Observer Report – Karen Wentworth

Bernalillo County Struggles with Ways to Aid Non-Profits

All five members of the Bernalillo County Commission Barbara Baca, Eric Olivas, Adrian Barboa, Walt Benson and Steven Quezada were present at the August 13 county commission meeting.

Bernalillo County Commissioners are struggling with a way to assist non-profit organizations without derailing the county budget process. Their problem is a \$1.2 million dollar capital outlay grant from the state legislature to purchase a building at 2051 Wyoming Blvd. NE for the use of Wings for Life International, a non-profit organization that aids the families of recently released detention center inmates. The non-profit provides training and support for released inmates and their families.

The county agreed to act as the fiscal agent for the property, which means it is not only responsible for actually purchasing the property for use by the non-profit, but it is also legally responsible for upkeep, liability and any needed renovation of the property. A proposed lease agreement making the non-profit responsible for maintenance of the property may partially defray the costs to the county, but county employees will still be responsible for making sure the non-profit lives up to the lease, and county taxpayers are still on the hook for any major repairs that might be needed.

Commissioners said it is the first time the county has actually purchased property for use by a non-profit entity, but smaller purchases over the years are already causing problems. A refrigerator purchased for use by a non-profit in 2015 is still on the books as belonging to Bernalillo County and county employees visit the non-profit each year to make sure the refrigerator is still on the property and in running condition. That's just one example of the long-term concerns caused by the county's willingness to act as a fiscal agent for private entities.

Any local government would struggle to handle unexpected non-funded mandates placed on taxpayers, but that's exactly what the State of New Mexico's Capital Improvement Program and state lawmakers who funded the grant have done in this case.

Two other counties in New Mexico, Dona Ana and San Juan also act as fiscal agents for some non-profits, but non-profit organizations in smaller counties can't use this funding mechanism because smaller counties don't that have sufficient staff to accept the additional responsibilities.

The League policy that is relevant to this issue can be found in the Local Government section of the handbook that outlines local Central New Mexico positions. It says "support for the development of budgets that provide for long-range planning and evaluation programs."