

## RESOLUTION 23-02-13

### **A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, REGARDING POLICIES AND PROCEDURES FOR THE FUNDING OF NON-PROFIT ORGANIZATIONS; PROVIDING FOR A FORM OF APPLICATION; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, on June 10, 2004, the Village Council of Islamorada, Village of Islands (“the Village”) adopted Resolution No. 04-06-29 establishing a uniform policy and procedures regarding funding of non-profit organizations (the “Policy”); and

**WHEREAS**, the Policy required that organizations obtain 501(c)(3) status before being eligible for funding from the Village; and

**WHEREAS**, on April 14, 2005, the Village Council of the Village (the “Village Council”) adopted Resolution No. 05-04-15 which, among other things, allowed legally established non-profit groups other than 501(c)(3) groups to be eligible for funding, provided that expenditures for grants to non-profit organizations will not exceed one percent (1%) of its prior year’s total General Fund Operating Budget, and provided that such provisions shall supersede the provisions of Resolution No. 04-06-29; and

**WHEREAS**, the Policy was further amended by the Village Council on May 25, 2006 by the adoption of Resolution No. 06-05-35, which eliminated the limit of annual appropriations of one percent (1%) of its prior year’s total General Fund Operating Budget, provided for emergency funding by affirmative vote of the majority of the Village Council and encouraged residents and taxpayers to support and make contributions to charities of their choice; and

**WHEREAS**, the Village Council finds that it is in the best interests of the Village to update the Policy to provide, among other things, that applications for contributions will be

done annually, with the timing and deadline in the discretion of the Village Manager, to provide for a form of funding application, and to provide that such contributions made by the Village may not be used to pay salaries or administrative expenses/costs of the recipient without the express written consent of the Village.

**NOW THEREFORE BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, AS FOLLOWS:**

**Section 1. Recitals.** The above recitals are true and correct and are incorporated herein by this reference.

**Section 2. Intent and Purpose.** It is the intent and purpose of this resolution to update and readopt the uniform policy and procedure for non-profit organizations to petition the Village for grant funding annually, and review criteria to guide the Village Council in awarding grant funding to non-profit organizations with funding limitations.

**Section 3. Eligibility.** Consideration will be given to non-profit organizations operating within the Village and non-profit organizations operating outside of Village limits if the agency's services are provided to Village residents or directly benefit Village residents.

Non-profit organizations with a 501(c)(3) tax exempt status and other legally established non-profit organizations regardless of 501(c)(3) tax exempt status are eligible for grant funding from the Village. Organizations applying through a "fiscal agent", professional fundraiser or other third parties are not eligible for funding from the Village. Organizations that have previously received Village grant funding but do not comply with the policies and procedures outlined herein, in a donor agreement or other requirements imposed by the Village Council are ineligible to apply. Non-profit organizations must demonstrate:

1. Current 501(c)(3) tax exempt status; or documentation of other non-profit status, including a license to solicit charitable contributions from the State of Florida under Chapter 496, Florida Statutes; and
2. Evidence of the ability to provide cultural, educational, recreational, or social services within in the Village or directly to the residents of the Village or for the benefit of the residents of the Village.

**Section 4. Application.** All applicants for grant funding shall submit an application substantially in the form attached hereto as Exhibit "A" entitled "Charitable Donations Request Application," (the "Application") as may be modified by the Village Manager from time to time. The Application shall be submitted no later than the date and time set forth by the Village Manager in a Notice of Application for Funding posted on the Village website annually for each Fiscal Year.

**Section 5. Evaluation Criteria.** In awarding grants to non-profit organizations, the Village Council shall consider the following criteria:

1. The organization provides services that have been identified by the Village as fulfilling a needed service.
2. The organization is able to provide the services cost efficiently and with a high quality of service.
3. The organization is located within the boundaries of the Village or the organization's services are provided directly to, or benefit, Village residents.
4. The organization has sought funding from the Village, Monroe County or other governmental agencies in previous years and/or the current year.

5. The organization has the administrative and financial stability to deliver the services for which it is requesting funding from the Village.

**Section 6. Limitation on use of Funds.** Any funds granted to a non-profit organization shall not be used to pay salaries or administrative expenses/costs of the recipient without the express written consent of the Village.

**Section 7. Award of Funds; Agreement.** The final decision to make a grant award pursuant to this resolution is at the sole discretion of the Village Council and contingent on the availability of appropriated funds set forth in the Village's approved annual budget. The recipient of any award of funds shall enter into an agreement with the Village. The award of funding and execution of such agreement shall be approved by the Village Council.

**Section 8. Conflict.** All prior resolutions inconsistent with the provisions hereof shall be superseded by the provisions of this Resolution.

**Section 9. Effective Date.** This resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED this 9th day of February, 2023.**

Motion to adopt by Council Member Mark Gregg. Seconded by Council Member Elizabeth Jolin.

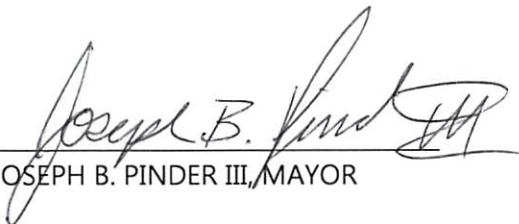
**Remainder of this page intentionally left blank.**

**FINAL VOTE AT ADOPTION**


**VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS**

Mayor Joseph B. Pinder III            Yes  
Vice Mayor Sharon Mahoney        Yes  
Council Member Mark Gregg        Yes  
Council Member Elizabeth Jolin    Yes  
Council Member Henry Rosenthal   Yes

**PASSED AND ADOPTED THIS 9th DAY OF FEBRUARY, 2023.**

  
\_\_\_\_\_  
JOSEPH B. PINDER III, MAYOR

ATTEST:

  
\_\_\_\_\_  
MARNE MCGRATH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY  
FOR THE USE AND BENEFIT OF  
ISLAMORADA, VILLAGE OF ISLANDS:

  
\_\_\_\_\_  
JOHN J. QUICK, VILLAGE ATTORNEY

