

A RESOLUTION OF THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF RUTHERFORD, TENNESSEE, ESTABLISHING A UNIFORM POLICY ON THE ACCEPTANCE OF GIFTS AND OTHER DONATION BY THE TOWN.

WHEREAS, the Rutherford Board of Mayor and Aldermen wish to establish a policy by which to evaluate the suitability of donations and other gifts prior to acceptance by the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE RUTHERFORD BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

1. Gifts and donations to be approved by the Board of Mayor and Aldermen. It shall be the policy of the Town of Rutherford that no Town official or employee shall solicit or accept any donation or gift on behalf of the Town unless and until such solicitation or proposed donation is first approved and authorized by the Board of Mayor and Aldermen. For the purpose of this Resolution, the phrase "donation or gift" shall include, but is not limited to, such items of value as cash, bonds, real estate, automobiles, and other items of personalty.

2. Fiscal evaluation. Prior to voting to accept a donation or gift, the Board of Mayor and Aldermen shall first conduct a cost/benefit analysis to determine how acceptance of the proposed gift or donation will affect the Town treasury and cash flow.

3. Legal evaluation. Prior to voting to accept a donation or gift, the Board of Mayor and Aldermen shall seek and obtain appropriate legal advice to determine the legal implications of such acceptance. In no event shall the Town accept offers of donations or gifts which are predicated on the donor receiving favorable treatment by the Town, nor shall the Town accept donations or gifts which are predicated on the Town pursuing policies which violate Federal or State laws or municipal ordinance.

4. Inappropriate donations or gifts. In considering the acceptance of gifts or donations, the Board of Mayor and Aldermen may consider whether such acceptance, or the conditions of such acceptance, may be unreasonably offensive to the citizens of Rutherford.

5. Exceptions for grants and low-interest loans. Nothing in this policy shall be construed to apply to any federal or state grants or low-interest loans offered to the Town of Rutherford.

PASSED AND APPROVED THIS ___ DAY OF _____, 2004, BY A ROLL CALL VOTE OF THE RUTHERFORD BOARD OF MAYOR AND ALDERMEN.

JEFF EMERSON, MAYOR

Attest: _____
City Recorder