TITLE 5

MUNICIPAL FINANCE AND TAXATION¹

CHAPTER
1. MISCELLANEOUS.
2. PURCHASING.
3. APPROPRIATIONS FOR NONPROFIT ORGANIZATIONS AND GOVERNMENT ENTITIES.

CHAPTER 1

MISCELLANEOUS

SECTION
5-101. Fiscal year of the city.

5-101. Fiscal year of the city. The fiscal year for the City of Forest Hills shall begin on July 1st of each year and shall end on June 30th of the following year.² (Ord. #73-2, June 1973)

¹Charter reference
Finance and taxation: title 6, chapter 22.

²Charter reference
Tennessee Code Annotated, § 6-22-121 provides that the fiscal year of the city shall begin on July 1 unless otherwise provided by ordinance.
CHAPTER 2
PURCHASING

SECTION
5-201. Application.
5-202. Purchases not exceeding ten thousand dollars.
5-203. Purchases in excess of ten thousand dollars.
5-204. Exceptions to bidding requirement.

5-201. Application. In accordance with Tennessee Code Annotated, § 6-19-104, the purchase of all material, supplies, equipment and services purchased under the authority of this chapter shall, unless otherwise provided by law, be purchased in accordance with the regulations set out in the following sections. (Ord. #98-145, March 1998, modified)

5-202. Purchases not exceeding ten thousand dollars. The city manager is authorized to make purchases of commonly used items of material, supplies, equipment, and services used in the ordinary course of maintaining and repairing the city's real or personal property; building or maintaining stocks of city material, supplies and equipment used in the ordinary course of city operations; and minor construction, repair or maintenance services without formal sealed bids and written specifications when the estimated cost of same is ten thousand dollars ($10,000.00) or less. With respect thereto, the city manager shall maintain a record of all such purchases describing the material, supplies, equipment or service purchased, the person or business from whom it was purchased, the date it was purchased, the purchase cost, and any other information from which the general public can easily determine the full details of the purchase. Each such purchase shall be supported by invoices and/or receipts and any other appropriate documentation signed by the person receiving payment. (Ord. #98-145, March 1998)

5-203. Purchases in excess of ten thousand dollars. For all purchases in excess of ten thousand dollars ($10,000.00), the city manager shall make same based on written specifications, awarded by written contract let to the lowest responsive and responsible bidder following advertisement for, and the submission of, sealed bids. The city reserves the right to reject all bids. (Ord. #98-145, March 1998)

5-204. Exceptions to bidding requirement. The city manager is authorized to make the following purchases without written specifications or bids:

(1) Emergency purchases of material, supplies, equipment, or services. A report of the emergency purchase, including the nature of the emergency, the
materials, supplies, equipment, or services purchased, and the appropriate documentation similar to that required under § 5-202 above shall be filed with the city commission at its next regular meeting.

(2) The purchase of unique, special, or proprietary material, supplies, equipment, or services the city manager determines is in the best interest of the city to acquire. A report of the purchase, including, a full description of the material, supplies, equipment, or services purchased, the reason the same is unique, special, or proprietary, the interest of the city served by the purchase, and from whom the purchase will be made shall be filed with the city commission at its regular meeting prior to purchase.

(3) With the approval of the board of commissioners, the city manager may renew contracts for services such as tree trimming, road repair and snow removal for one additional year, at the same price, after they are made pursuant to this chapter. A full report of the renewal, including a full description of the work to be performed and the price together with the factors that made the renewal economically advantageous to the city, shall be filed with the city recorder.

(4) Purchases which can be made only from a sole source. The minimum geography for determining the "sole source" shall be the Metropolitan Nashville city limits. The city manager shall have the discretion to enlarge the geography of the sole source to whatever extent he determines is the economic interest of the city. A full report of the purchase, including a full description of the purchase, evidence that the purchase was made legitimately a sole source purchase, and from whom the purchase will be made shall be filed with the city commission at its regular meeting prior to purchase. (Ord. #98-145, March 1998)
CHAPTER 3

APPROPRIATIONS FOR NONPROFIT ORGANIZATIONS AND
GOVERNMENT ENTITIES

SECTION
5-301. Proper recipient.
5-302. Purpose.
5-303. Submissions.
5-304. Publication.
5-305. Special resolutions.
5-306. Appropriate procedures.

5-301. Proper recipient. The city may only appropriate funds for nonprofit organizations and governmental agencies provided the appropriations satisfy the requirements of Tennessee Code Annotated, § 6-54-111(a)(2) and that such appropriations must benefit the general welfare of the residents of the city.

5-302. Purpose. Municipal funds appropriated for nonprofit organizations and governmental agencies (herein "qualifying organizations") may be appropriated for any purpose which the board of commissioners of the city deems necessary or prudent for the benefit and general welfare of the city and the residents thereof. (Ord. #03-159, Feb. 2003)

5-303. Submissions. To receive municipal funds, a qualifying organization must submit to the city manager the following documents, which documents the city must make available for public viewing during the city's normal business hours:

(1) A request for a specific amount of municipal funds;
(2) Proof that the organization is a qualifying organization;
(3) A description of the services provided by the qualifying organization;
(4) A description of how the qualifying organization wishes to use the appropriated funds and how such use will benefit the city;
(5) A copy of an annual report of the business affairs and transactions of the qualifying organization, including a copy of an annual audit conducted by an independent certified public accountant no more than twenty-four (24) months prior to the submission of the organization's request for municipal funds; and
(6) In the case of a governmental agency, the board of commissioners of the city may waive requirements of this section (2), (3) and (4). (Ord. #03-159, Feb. 2003)
5-304. Publication. If the qualifying organization is a "nonprofit civic organization," as such term is defined in Tennessee Code Annotated, § 6-54-111(a)(2)(B), then the city manager shall cause to be published in a newspaper of general circulation in the city a notice which:

(1) States the intention of the city to make an appropriation to a "nonprofit civic organization";
(2) Specifies the intended amount of the appropriation;
(3) Specifies the purposes for which the organization will spend the appropriation; and
(4) No publication shall be necessary in regard to an appropriation to a governmental agency. (Ord. #03-159, Feb. 2003)

5-305. Special resolutions. To appropriate the funds, the board of commissioners of the city shall pass a special resolution which resolution shall state:

(1) The name of the organization receiving the funds;
(2) Whether the organization is a nonprofit charitable organization or a nonprofit civic organization;
(3) The service that the organization provides to the city;
(4) The amount to be appropriated;
(5) The purpose for which the city is appropriating the funds and for which the funds must be used;
(6) That the appropriation is contingent upon the organization fulfilling the statutory and regulatory requirements for such appropriation; and
(7) Any other special requirements necessary for the appropriation and governance of the funds. (Ord. #03-159, Feb. 2003)

5-306. Appropriation procedures. The city must pass on two (2) readings an amendment to its current budget reflecting the appropriation. The budget amendment must include the name of the qualifying organization and the specific amount appropriated, and must state that the amendment is contingent upon the nonprofit organization fulfilling the statutory and regulatory requirements of this chapter for such appropriation. The city manager may make payments only up to the amount appropriated by the board of commissioners, and may take such action as is necessary to ensure that the qualifying organization only uses the funds for the purposes and uses authorized by the board of commissioners in the special resolution. (Ord. #03-159, Feb. 2003)