

RESOLUTION NUMBER 2020-33

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PARADISE VALLEY, ARIZONA, ENCOURAGING AND AUTHORIZING THE DISSOLUTION OF THE PARADISE VALLEY PUBLIC SAFETY FOUNDATION EFFECTIVE DECEMBER 31, 2020 AND DIRECTING THAT A NEW DONATION POLICY FOR POLICE DEPARTMENT ENHANCEMENTS BE INSTITUTED

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF PARADISE VALLEY, ARIZONA THAT:

WHEREAS, the Paradise Valley Public Safety Foundation (Foundation) was incorporated on December 14, 2018; and,

WHEREAS, a Memorandum of Understanding (MOU) between the Town of Paradise Valley (Town) and the Foundation was entered into on January 10, 2019; and,

WHEREAS, the Town Council (Council) has determined that instead of using the Foundation as an option for the receipt of donations for enhancement activities for the Paradise Valley Police Department (Department) such donations should be made to the Town itself and accepted by the Town Council at a public meeting; and,

WHEREAS, acceptance of donations by the Town Council will promote greater public transparency and give the Council the ability to not accept funds that have unacceptable conditions attached or that do not promote the best interests of the Town or Department; and,

WHEREAS, the Council finds that donations to the Foundation should now be discouraged and encourages the Foundation to wind down its activities and dissolve the Foundation,

NOW THEREFORE BE IT RESOLVED that:

1. The Foundation is encouraged to dissolve by December 31, 2020.

2. After adoption of the Resolution, the Foundation is encouraged to direct potential donors to donate funds for Department enhancements directly to the Town, care of the Town's Chief Financial Officer (CFO).
3. The Foundation is encouraged to cooperate with the Chief of the Paradise Valley Police Department (Chief) in funding enhancements for the Department that are identified by the Chief.
4. The Foundation is encouraged to take action by December 1, 2020 to donate all monies (except those anticipated as being necessary for the final dissolution expenses of the Foundation, taxes and other miscellaneous expenses) to the Town, care of the CFO for Council acceptance. After the final dissolution of the Foundation and filing of its 2020 Tax return, all remaining monies are also encouraged to be donated to the Town for Council acceptance.
5. Upon dissolution, or earlier, if the Foundation had received any donations that were designated by the donor for a specific Department need, the Foundation should advise the Town of such when such funds are provided to the Town, care of the CFO.
6. The Town Manager and Chief shall prepare for Council review a donation policy for Department enhancements that will: a) have future donations for Department enhancements sent to the Town directly instead of the Foundation, b) have acceptance of any such donation(s) placed on a Council agenda for Council to decide whether to accept the donation(s); (c) request from the Chief the projects or needs that may be added as Department enhancements and a means for prioritizing such enhancements.

7. In accordance with the MOU, effective immediately the Foundation may not use the Town of Paradise Valley's name or initials, and/or seal for the purposes of soliciting funds or lobbying, and shall take all appropriate measures necessary to ensure that its communications and activities do not appear to be those of the Town of Paradise Valley.
8. Further, in accordance with the MOU between the Town and the Foundation, representatives of the Foundation may not speak on behalf of the Town or the Town Council, nor represent that they are agents or employees of the Town.

PASSED AND ADOPTED by the Mayor and Council of the TOWN OF PARADISE VALLEY, Arizona, this 22nd day of October, 2020.

Jerry Bien-Willner, Mayor

ATTEST:

Duncan Miller, Town Clerk

APPROVED AS TO FORM:

Andrew M. Miller, Town Attorney