



City of Crestview Donation Policy

I. Purpose

Members and supporters of the Crestview community from time to time wish to support the community by making donations to the City of Crestview. The City Council appreciates this generosity and has adopted this policy regarding donations to the City of Crestview, including City departments and City sponsored programs, activities, and events. (This policy is distinct from the Employee Gifts Policy, which provides City of Crestview employees with a standard about when it is acceptable and prohibited to accept gifts from a member of the public, a business, an organization, or other entity.)

II. Definitions

1. Donation: a contribution made to the City without expectation of goods, services, or significant benefit or recognition in return. Donations may be in the form of money or in-kind contributions of products, services, investment securities, real property (land), or any combination thereof. A donation may be unrestricted, where the donor has placed no limitation on its use, or restricted, where the donor has restricted its use to a specified purpose. Donations that, if accepted, would obligate the City to enter into a service, procurement, or other agreement shall not be considered a donation. Grants to the City from a local, state, or federal agency are not subject to this policy.
2. Donor: Any organization or individual who provides the City with a donation.
3. Donation Agreement: An agreement between the City and the donor that details any restrictions on a donation as well as the respective obligations of the donor and the City.
4. Fundraising: Any activity conducted with the intent of generating donations to the City. Fundraising activities may include, but are not limited to, promoting endowment programs, program adoption or pledge drives, and contacting individuals, companies, foundations, or other entities with a request for a donation to the City.



III. General Provisions

1. The City welcomes unrestricted donations as well as restricted donations that enhance City services, reduce costs that the City would incur in the absence of the donation, or that otherwise provide a benefit to the City. The City may decline any donation without comment or cause.
2. Donors shall not expect, nor shall the City grant, any extra consideration to the donor in relation to City procurement, regulatory matters, or any other business, services, or operations of the City. To avoid the possible appearance of extra considerations, members of the Planning and Development Board and staff of the Community Development Department are not authorized to solicit donations to the City.
3. No City Council member, employee, or volunteer shall solicit donations, monetary or in-kind services for any City project, program, activity, or event (“supported activity”) unless the City Manager has approved a written fundraising plan for the supported activity. A recommended form for a fundraising plan is attached as Exhibit A to be revised as appropriate for the fundraising goal and type of supported activity in question.
4. Donations must be directly related to providing goods or services to the public or for another valid public purpose. Donations may not be used for personal financial gain of any City elected or appointed official or employee.



5. The net benefit of a donation should be considered when determining whether to accept a donation. Net benefit includes all lifecycle costs of ownership, including maintenance, repair, clean-up, administrative, and any potential liability or expenses that may be associated with the donation.
 - a. Donations may not be used to implement new on-going programs or services unless a permanent source of revenue is identified to support the program or service.
 - b. Potential costs and liabilities should be considered if a donation of personal property or of a service does not include the same indemnification, insurance, bonding, or warranties that the City would normally receive through procurement of personal property or services.
 - c. Real property may be donated to the City provided that it will not expose the City to an unreasonable risk of litigation or liability, because of the physical condition of the property or existence of claims, liens, and encumbrances against the property.

6. Council members and other City officials are responsible for reporting fundraising activities and donations as required by applicable laws and regulations.

IV. Procedures

1. Unrestricted donations of \$25,000 or less may be accepted by the City Manager. All restricted donations and unrestricted donations of more than \$25,000 must be brought to the City Council for approval and acceptance. The City Manager may accept or decline any donation in the City Manager's sole discretion and may choose to request City Council consideration of any donation.



1. The City Manager may accept or decline any donation in the City Manager's sole discretion and may choose to request City Council consideration of any donation.
2. All donations will receive appropriate recognition as determined by the City Manager or City Council at the time the donation is accepted, taking into consideration the nature and level of the donation. Upon request of the donor or if specified in a City-initiated request for donors, limited forms of promotional activity (such as logo or name placement on signs, flyers, and other materials related to a program or activity supported by the donation) are permitted. The appearance of traditional commercial advertising should be avoided and the size of donor recognition should be in keeping with the size of non-recognition information used in the materials. The agreed upon form of recognition should be identified in the donor receipt or a donation agreement.
3. When donations with a value in excess of \$100 are accepted or upon the request of the donor, the Finance Department will issue the donor a receipt indicating the amount of the donation or describing the goods or services donated within 30 days of receiving the donation. (In accordance with the Internal Revenue Code the City does not provide an estimated value of in-kind donations; donors may refer to IRS Publication 561 for more information on valuing donated property.) The donation receipt shall also include the date of the donation, the name of the donor, the purpose of the donation (if a restricted donation), a brief description of any public recognition that will be made by the City and note that the donor received no goods or services in exchange. The original receipt shall be submitted to the donor and the City shall retain a copy. A sample donation receipt is attached as Exhibit B.
4. Before acceptance of a restricted donation the respective obligations of the donor and the City shall be set forth in a donation agreement. A sample donation agreement is attached as Exhibit C. The City Manager or City Council may require donation agreements for unrestricted donations of any value.
5. The City shall maintain records for the receipt of all donations and shall comply with all reporting requirements and regulations including, but not limited to, FPPC Regulation 18944.2 Gifts to an Agency.



EXHIBIT A – FUNDRAISING PLAN FORM

City of Crestview Fundraising Plan

| | |
|---|--|
| Fundraising Plan Title & Purpose: <i>Please provide a title and description for your fundraising project.</i> | |
| | |
| Fundraising Participants: <i>Please list the names for all groups and individuals that will be conducting fundraising.</i> | |
| | |
| Donation Type/Amount: <i>Please describe the types and amount of donations that will be sought.</i> | |
| | |
| Anticipated Donors: <i>Please describe who will be approached for donations.</i> | |
| | |
| Donor Recognition Plan: <i>Please describe how donors will be recognized.</i> | |
| | |
| Fundraising Timeline: | |
| City Manager Review of Fundraising Plan: | |
| Fundraising Start: | |
| Fundraising Completion: | |
| City Manager Review of Donations: | |
| Donor Recognition Complete: | |
| Restrictions/Reporting: <i>Please identify any restrictions or reporting requirements associated with this fundraising plan.</i> | |



EXHIBIT B – SAMPLE DONATION RECEIPT

City of Crestview Donation Receipt

This is to confirm that on _____ [insert date] the City of Crestview received from
_____ [insert donor name and address]:

- a monetary contribution of \$ _____
- a non-monetary contribution consisting of [describe goods, services, property, securities, etc.]:

No goods or services were provided by the City of Crestview in return for the contribution.

The City sincerely appreciates your donation.

Gina Toussaint
Financial Services Director
City of Crestview



EXHIBIT C – SAMPLE DONATION AGREEMENT

**City of Crestview
Standard Donation Agreement**

The undersigned Donor wishes to make a donation to the City of Crestview as described in more detail below.

Donor is (check and complete all that apply):

- donating \$ _____ in a lump sum
- donating the following (describe products, services, investment securities, real property, etc.):

If this box is checked the donor would like the item returned to them when it is no longer in use.

If this box is checked this donation is restricted to the following uses:

City will publicly recognize donor by (describe recognition):

If this box is checked this donation is being made at the behest of Council Member /City Staff Member _____.

In connection with administering this agreement, Donor and City shall work through the following primary representatives:

| | City of Crestview | Donor |
|-----------------------------------|--------------------------|--------------|
| Primary Representative: | | |
| Address: | | |
| Telephone: Fax: Cell Phone: | | |
| E-mail: | | |



In addition to the foregoing, Donor and City understand and agree that:

1. The City will provide Donor with a donation receipt indicating the amount of the donation or estimated value of goods or services donated within 30 days of receiving the donation.
2. Donor's contribution to the City will be recognized publicly as described above.
3. Except as provided above, the City may use the donation in any manner at its sole discretion and Donor has no right or obligation to control City's use of the donation.
4. Donor has not and will not receive any goods or services in exchange for the donation and the City will not grant any extra consideration to the donor in relation to City procurement, regulatory matters, or any other business, services, or operations of the City.
5. Donor confirms that unless indicated otherwise above this donation is not made at the behest of a City Council Member or of any city board of council member of the Planning or the Mayor.

IN WITNESS WHEREOF, the parties hereto have executed this agreement.

Donor

City of Crestview

Name *Title*

Date: _____

Tim Bolduc, City Manager

Date: _____

ATTEST:

Maryanne Schrader, City Clerk

Date: _____
