



**CITY OF BELLE ISLE, FLORIDA  
CITY COUNCIL AGENDA ITEM COVER SHEET**

**Meeting Date:** May 7, 2019

**To:** Honorable Mayor and City Council Members

**From:** B. Francis, City Manager

**Subject:** Donation of Shotguns

**Background:** On April 25, 2019, three residents of Belle Isle donated five shotguns to the Police Department. Currently, the City has not policy of donations, therefore, the Council should accept this generous donation by approving a motion to accept them.

The City staff drafted a donation policy that the City Attorney is currently reviewing. Once reviewed and any changes made to the policy, it will be placed on the agenda for adoption. Although no discussion or action is being requested at this time, the draft policy is included for the Council to review for discussion at a later date.

**Staff Recommendation:** This item is for approval under the Consent Agenda.

**Suggested Motion:** None needed with the approval of the Consent Agenda.

**Alternatives:** None

**Fiscal Impact:** 5 shotguns costing \$400 – Total donation \$2,000

**Attachments:**       Memo from BIPD  
                              Draft Policy on Donations (For review only - Not for discussion)



# Belle Isle Police Department

---

April 26, 2019

## Interoffice Memorandum:

---

**TO:** Bob Francis  
City Manager


**FROM:** Deputy Chief Travis Grimm

**RE:** Shotguns to be added to inventory

---

The following shotguns have been donated to the Belle Isle Police Department. I am requesting the following shotguns be added to the Belle Isle Police Department inventory. Please let me know if you need additional information.

Manufacture	Model	Serial Number
Remington	870	S3CC51368F/AT#0154
Remington	870	S#CC52375F/AT#0160
Remington	870	S#CC50680F/AT#0152
Remington	870	S#CC52365F/AT#0155
Remington	870	S#CC51365F/AT#0161

  
Bob Francis, City Manager

 Approved  
Disapproved

*\* Community First \**



## **City of Belle Isle Donation Policy**

### **I. Purpose**

Members and supporters of the Belle Isle community from time to time wish to support the community by making donations to the City of Belle Isle. The City Council appreciates this generosity and has adopted this policy regarding donations to the City of Belle Isle, including City departments and City sponsored programs, activities, and events. (This policy is distinct from the Employee Gifts Policy outlined in the City's Personnel Manual, which provides City of Belle Isle employees with a clear 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 Acceptance 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 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 reserves the right to decline any donation, without comment or cause if upon review, acceptance of the donation offer is determined in the sole discretion of the City to be not in the best interests of the City.
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.
3. No City Council member, Commissioner, employee, or volunteer shall solicit donations in cash or in-kind services for any City project, program, activity, or event ("supported activity") unless the City Council has approved a plan for the supported activity. This will normally apply to City-sponsored events.
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.
  - d. The potential and extent of the City's obligation to maintain, match, or supplement the donation.
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 \$5,000 or less may be accepted by the City Manager. Unrestricted donations of more than \$5,000 and restricted donations of more than \$500 must be brought to the City Council for approval and acceptance. Restricted donations of \$500 or less may be accepted by the City Manager.
2. 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. The City Manager shall report to the City Council on all donations in excess of \$1,000 at a City Council meeting within thirty days of accepting the donation.
3. The City Council shall consider proposed donations beyond the authority of the City Manager set forth above and proposed donations referred to it by the City Manager. The City Council may accept or decline any donation at its sole discretion.
4. 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. Any naming of City parks, property, or facilities shall follow the guidelines set forth in the City Resolution 17-19 Pertaining to Naming City-Owned Land and Facilities.
5. When donations with a value in excess of \$100 are accepted or upon the request of the donor, the City 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.

6. Before acceptance of a restricted donation valued at more than \$500 or an unrestricted donation valued at more than \$5,000, the respective obligations of the donor and the City shall be set forth in a Donation Acceptance Agreement. A sample donation agreement is attached as Exhibit A. The City Manager or City Council may require donation agreements for donations valued at any amount. The Donor Acceptance Agreement including the donor names and donation amounts are public information subject to disclosure pursuant to the Florida Public Records Act.
7. The City shall maintain records for the receipt of all donations and shall comply with all reporting requirements and regulations.

#### **V. Dissemination of Information**

1. A copy of each Donation Acceptance Agreement for accepted donations shall be forwarded for information to the City Council by the City Manager.
2. A copy of each Donation Acceptance Agreement for accepted donations shall be forwarded for information to the Finance Department and the designated department for which the donation was assigned.
3. Each original Donation Acceptance Agreement shall be maintained by the City Clerk.

#### **VI. Distribution of Donation**

1. Tangible items will be distributed to appropriate City departments for use or, at the discretion of the Department Director or City Manager, disposed of in an appropriate manner according to the Belle Isle Municipal Code.
2. Donations of cash for designated donations will be deposited into the appropriate revenue account for the designated City department.
3. Donations of cash for undesignated donations under \$5,000 will be deposited into the City's General Fund donation account. Undesignated donations in an amount over \$5,000 will be distributed at the direction of City Council.

## EXHIBIT A – SAMPLE DONATION ACCEPTANCE AGREEMENT



### DONATION ACCEPTANCE AGREEMENT

Name of Donor: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Description of donation: \_\_\_\_\_

\_\_\_\_\_

Donor estimate of current value: \_\_\_\_\_

Potential immediate or initial acquisition or installation cost, any on-going maintenance or

replacement cost: \_\_\_\_\_

\_\_\_\_\_

Intended use: \_\_\_\_\_

\_\_\_\_\_

Conditions of acceptance or donor designation: \_\_\_\_\_

\_\_\_\_\_

Remarks: \_\_\_\_\_

\_\_\_\_\_

City Department receiving donation: \_\_\_\_\_

### APPROVED / DISAPPROVED

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Manager Signature

\_\_\_\_\_  
Date Submitted to Council

\_\_\_\_\_  
Date Approved by Council

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mayor Signature

NOTE: The City of Belle Isle cannot guarantee future funding for repair, maintenance, use or replacement of donated items.

cc: City Council, Finance Department, City Clerk

## EXHIBIT B – SAMPLE DONATION RECEIPT



### City of Belle Isle Donation Receipt

This is to confirm that on \_\_\_\_\_ [insert date] the City of Belle Isle 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 Belle Isle in return for the contribution.

The City sincerely appreciates your donation.

\_\_\_\_\_  
Bob Francis  
City Manager  
City of Belle Isle