

# **CITY OF COLUSA**

## **DONATION AND GIFT POLICY**

### **Section 1. Purpose**

The purpose of this policy is to establish a formal process for acceptance and documentation of donations made to the City. This policy provides guidance when individuals, community groups, and businesses wish to make donations to the City. This policy also establishes the standards for City employees and City officials regarding the acceptance of gifts during the performance of City business.

### **Section 2. Types of Donations**

Donations may be offered in the form of cash, real or personal property. Designated donations means those donations that the donor specifies for a particular City department, location, or purpose. Undesignated donations means those donations that are given to the City for an unspecified use.

### **Section 3. Consistency with City Interests**

Designated donations may only be accepted when they have a purpose consistent with the City's goals and objectives and are in the best interest of Colusa. The City must always consider the public trust and comply with all applicable laws when accepting donations.

### **Section 4. Acceptance of Undesignated Donations of Cash or Tangible Items**

All donations to the City, including offers to employees related to the City, shall immediately be submitted for consideration for acceptance. Based on the value of the donation offered as outlined below, appropriate City staff shall review every donation and determine if the benefits to be derived warrant acceptance of the donation. The following points list the threshold amounts for donation acceptance.

- A. Offers of donations of cash or items valued up to \$15,000 may be accepted by the City Manager.
- B. Offers of donations of cash or items valued more than \$15,000 may be accepted by the City Manager, and shall be placed on the consent calendar at a City Council meeting for the purpose of Council notification.
- C. Offers of donations for gratuitous purposes (e.g. holiday gift baskets, etc.) to any employee, department or the City shall be made available to benefit all employees.

## **Section 5. Acceptance of Designated Donations of Cash or Tangible Items**

Based on the value of the donation offer as outlined in Section 3 above, appropriate City staff will review the conditions of any designated donation and determine if the benefits to be derived warrant acceptance of the donation. Criteria for the evaluation include but are not limited to:

- A. Consideration of an immediate or initial expenditure is required in order to accept the donation.
- B. The potential and extent of the City's obligation to maintain, match, or supplement the donation.

## **Section 6. Acknowledgement of Donations**

- A. A Donation Acceptance Form is required to be completed by the receiving to the City Manager's Office for all donations provided to the City (form attached).
- B. Acknowledgement of the donation should be in writing and be the responsibility of the City Manager who is the beneficiary of the donation. Undesignated donations shall be acknowledged by the City Manager. A copy of the acknowledgement agreement should be forwarded to donors.
- C. The Donor Acceptance Form including the donor names and donation amounts are public information subject to disclosure pursuant to the California Public Records Act.

## **Section 7. Declined Donations**

A. The City of Colusa reserves the right to decline any donation 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.

## **Section 8. Distribution of Donation**

- A. Tangible items will be distributed to appropriate City departments for use or, at the discretion of the City Manager, disposed of in an appropriate manner according to this policy.
- B. Donations of cash for designated donations will be deposited into the appropriate revenue account for the designated City department.
- C. Donations of cash for undesignated donations under \$15,000 will be deposited into the City's General Fund donation account. Undesignated donations over \$15,000 will be designated to the Community projects accounts.

## **Section 9. Dissemination of Information And Solicitation of Donations**

- A. A copy of each Donation Acceptance Form for accepted donations shall be forwarded for information to the City Manager's Office.
- B. A copy of each Donation Acceptance Form for accepted donations shall be forwarded for information to the Finance Department and the designated department for which the donation was assigned.

- C. Each original Donation Acceptance Form shall be maintained by the City Clerk's Office.
- D. All solicitation may be made in writing or via City's Website, made available to all residents or business and may advertise in the local papers.

#### **Section 10. Acceptance of Gifts to Employees and/or Elected Officials of the City**

- A. Employees and or elected officials of the City shall follow the provisions listed in Article VII of the Municipal Code, Conflict of Interest Code as they relate to the receipt of gifts.
- B. Employees and officials of the City are required to be objective and fair in dealing with the public and persons or firms doing business with the City. Employees shall not solicit or accept gifts or gratuities for the performance of their City job responsibilities.
- C. No City official or employee shall directly or indirectly solicit, accept, or attempt to accept any money, fee, credit, gift, gratuity, object of value, or compensation of any kind which the official or employee knows, or has reason to know is being offered:
  - 1. For the purpose of improperly obtaining or rewarding favorable treatment;
  - 2. With interest to influence the official or employee in the discharge of official duties or;
  - 3. In consideration of having exercised official powers or performed official duties.
- D. Anonymous gifts shall be delivered to the City Manager for appropriate disposition.
- E. This policy does not prohibit a City official from accepting anything of value by way of a gift when such a gift is made to and accepted on behalf of, the City of Colusa. All such gifts to the City shall be forwarded to the City Manager for compliance with this policy whenever possible; the City Manager will ensure that all such gifts are shared by all City staff. An example of such gifts would be those received during holiday periods.
- F. Under the Political Reform Act, public officials and employees are required to disclose certain personal financial holdings as outlined in California Government Code sections 81000-91014. The Fair Political Practices Commission requires all public officials and employees to file a 'conflict-of-interest statement,' known as Form 700. In Schedule D of Form 700, details requirements in reporting gifts of a dollar value and shall be used.
- G. If required, the City will report a donation made to the City to the Fair Political Practices Commission (FPPC) in accordance with the timelines and directives described in title 2, section 18944 of the California Code of Regulations.
- H. If a donation to the City is made at an elected City official's behest from a single source in a calendar year, and the donation meets or exceeds the amount established by the FPPC, the elected City official must file a FPPC Form 803 with the City Clerk disclosing this information.

**CITY OF COLUSA**  
**DONATION ACCEPTANCE FORM**

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

\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
Date

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

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

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

\_\_\_\_\_  
Date

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

NOTE: The City of Colusa cannot guarantee future funding for repair, maintenance, use or replacement of donated items.  
cc: City Council, Finance Department, City Clerk

**CITY OF COLUSA**

**DONATION AND GIFT POLICY ACKNOWLEDGEMENT**

I have received and read the City of Colusa Donation and Gift Policy and understand its provisions. I further understand that when I sign this acknowledgement form it will be placed in my personnel file.

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**Employee (PRINT NAME)**

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**Signature**

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**Date**