

CITY OF ESCONDIDO

DONATION POLICY

Date: April 2026
Originating Dept.: ~~OBJ~~ City Manager

SUBJECT: DONATION ACCEPTANCE POLICY

PURPOSE:

The purpose of this policy is to establish a formal process for acceptance and documentation of donations made to the City and to provide guidelines for accepting gifts and donations in a responsible, transparent, and accountable manner that is consistent with the City's strategic goals. It establishes uniform evaluation criteria; provides the City the opportunity to determine if there are relevant and adequate resources to administer such donations prior to acceptance; and ensures that the City appropriately acknowledges the generosity of each donor. This policy provides guidance when individuals, community groups, and businesses wish to donate.

This policy does not include donations of tickets (see Administrative Directive 47) or Roadside, Park and other Memorials (see Administrative Directive 49).

SPECIFIC OBJECTIVES:

1. To establish and guide relationships with donors who share the City's commitment to improving the Escondido community's quality of life;
2. To enrich the Escondido community by responsibly and efficiently managing donations;
3. To generate revenue to fund new and existing facilities, projects, programs and activities for the benefit of the City and its residents; and
4. To collaborate with partners, including non-profit and for-profit organizations, business leaders, private citizens, and organizations whose missions align with the City's strategic goals.

DEFINITIONS:

Defined terms used in this Council Policy appear in italics. For purposes of this Council Policy:

Artifacts are items offered to the City for undesignated use and accepted on behalf of the City from representatives of foreign or domestic governments, business leaders, Friendship or Sister Cities and their affiliates, private citizens, organizations, or other

parties intending to express appreciation or foster diplomatic exchange and goodwill and/or to symbolize a significant event or relationship with the City.

Beneficiary Department Head shall mean the Director of the City department, agency, board, or commission, or designee, for which a *donation* is designated or intended. The City Manager or designee shall act as the *Beneficiary Department Head* if no department, agency, board, or commission is designated or intended.

Designated Donation shall mean donations designated at *donor* request for a particular City department, location, or purpose. 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 the City. The City must always consider public trust and comply with all applicable laws when accepting *donations*.

Donation or *Gift* shall mean a monetary (cash) contribution, endowment, personal property, *real property*, financial securities, equipment, in-kind goods or services, public artwork, artifact, or any other asset that the City has accepted and for which the *donor* has not received any goods or services in return. For purposes of this Council Policy, the terms "*donation*" and "*gift*" shall be synonymous.

Donor shall mean a person or other legal entity that proposes or provides a *donation* to the City.

Public Artwork shall mean any work of art, in any form or medium including, but not limited to sculpture, murals, installations, and digital media. This definition is in line with the Public Art Strategic Plan adopted by City Council on September 18, 2024.

Real Property shall mean physical land and any improvements thereto, along with the associated ownership rights.

Trust and Endowment shall mean *donations* that are undesignated to the extent that only earnings, and not principal, may be used for a particular City department, location or purpose.

Undesignated Donation shall mean a *donation* to the City without any limitations being placed upon its use.

GENERAL PRINCIPLES:

1. This Council Policy is intended to guide the manner in which City staff accepts *donations* on behalf of the City.

2. City Council is responsible for determining whether to accept *donations* through a written resolution *in the following cases*:
 - *Donations* valued over \$200,000;
 - All *donations* of *real property* or physical improvements to City property not otherwise covered by this policy;
 - All *donations* of *artifacts*;
 - Any *donation* for which a City Councilmember played a role in soliciting, facilitating, or securing the donation, regardless of value; and
 - Any *donation* that the City Manager recommends for Council review due to the nature of the proposal.
3. *Donations* do not become the property of the City until accepted by the City consistent with this Council Policy.
4. Only City officials authorized by this Policy may accept *donations*.
5. The City has no obligation to accept any *donation* proposed by a *donor*.
6. All *donations* will be evaluated by the City prior to acceptance to determine whether the *donation* is in the City's best interest and is consistent with applicable City laws, policies, ordinances, and resolutions.
7. The City does not provide legal, accounting, tax or other such advice to *donors*. Each *donor* is ultimately responsible for ensuring the *donor's* proposed *donation* meets and furthers the *donor's* charitable, financial, and estate planning goals. As such, each *donor* is encouraged to meet with a professional advisor before making any *donation* to the City.
8. The City must determine whether an expenditure of City funds, either a direct outlay of City funds or the use of City forces and materials, is associated with or required by acceptance of the *donation* prior to acceptance.
9. The *donation* must be used for official City business, and not for political activities or other personal business.
10. A donor may gift a *designated donation*, restricting the *gift* to a particular City department, location or purpose, but not designate the City official who may use the *donation*.
11. Departments must consult with the Finance Department prior to accepting any designated donation, or any donation that involves immediate City costs, required obligations, or long-term financial commitments. Finance is responsible for evaluating whether the proposed designation or restriction is administrable, determining appropriate accounting, confirming that Workday or other City systems can support

- required tracking, and advising on all compliance requirements. No designated or restricted donation may be accepted until Finance has reviewed the donor's written instructions and confirmed that the City can responsibly honor and administer the restriction.
12. 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.
 13. 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.
 14. For donations valued less than \$500, staff are responsible for acknowledging receipt of and thanking, on behalf of the City, the *donors of donation*.
 15. For donations valued between \$500 - \$4,999.99, the *Beneficiary Department Head* is responsible for acknowledging receipt of and thanking, on behalf of the City, the *donors of donation*. If a donation benefits more than one department, is valued greater than \$5,000, or is accepted by the City Council, the City Manager or their designee is responsible for acknowledging the donation, thanking the donor, and signing the donation form, on behalf of all involved departments or the City Council.
 16. The City shall comply with all applicable laws and regulations of the Internal Revenue Service regarding the acceptance of *donations*.
 17. As applicable to the *donation*, *donors* must comply with California Labor Code § 1770 *et. seq.*, by agreeing to pay prevailing wages and scale of pay and comply with all registration, monitoring and enforcement orders of the Department of Industrial Relations. Donors shall keep themselves informed of and comply with all applicable federal, state, and local laws, statutes, codes, ordinances, regulations, rules, and other legal requirements pertaining to the payment of prevailing wages including, but not limited to, the keeping of certified payroll records, overtime pay, employment of apprentices, and workers' compensation coverage as may be required.
 18. For *donations* or loans of *public artwork*, the Director of Economic Development or designee in consultation with other City departments as appropriate, and with the Public Art Commission (PAC), will coordinate the review of all aspects related to the acceptance of the donation or loan.
 19. For *donations of Real Property*, the Director of Economic Development or designee will coordinate the review of all aspects related to the acceptance of the *donation* including determining the value; maintenance obligations; liabilities; evaluating any restrictions;

and will provide recommendations, if any, for conditions of acceptance. City Council will be responsible for accepting or rejecting the *donation*.

20. For donations of *artifacts*, the City Manager's Office, will coordinate the review of all aspects related to the acceptance of the *donation* including confirming that the *gift* was not offered to influence a decision or secure an advantage, but was offered to foster goodwill, cultural exchange, or commemorate a City relationship or event. The City will not accept items that promote hate, violence, or discrimination; have suspect provenance; create conflicts of interests; or require exclusive display commitments or commercial promotion.
21. Donations that do not clearly fall within the defined categories in this policy, or that span multiple categories (including cash, bequeaths, personal property, real goods, services, trust & endowment funds, publicly traded equity, debt securities, real property, public artwork and artifacts) shall be forwarded to the City Manager's Office for evaluation. The City Manager's Office will coordinate any necessary internal review to assess the nature, intent, obligations, and potential impacts of the proposed donation. Because these donations fall outside standard acceptance pathways, they must be presented to the City Council for final consideration and approval to ensure transparency, consistency with City policies, and alignment with the City's strategic goals.
22. Authority to accept donations on behalf of the City is based on the total value, nature, and circumstances of the proposed donation, including any required City expenditures or long-term obligations. The following table summarizes the approval authority for donation acceptance under this Policy.

Donation Value / Type	Approver
\$0.01 - \$499.99	Staff
\$500 - \$4,999.99	Beneficiary Department Head
\$5,000 - \$199,999.99	City Manager
\$200,000+ Any donation in which a Councilmember helped facilitate or secure the offer Artifacts Nonstandard donations or donations that do not clearly fall within the defined categories outlined in this policy Other donations requiring Council consideration, as recommended by the City Manager Real Property	City Council

23. The donated asset will become the unconditional property of the City and the City will determine its use, unless otherwise agreed. In the case of loans of public artwork, the above will not apply and the property will retain its original ownership. In the case of real or personal property, the City reserves the right to determine the retention, location, and other considerations relating to the donated asset's use or disposition.

24. Naming rights associated with a *donation* are not currently authorized under this Policy. The City will develop a comprehensive Naming Rights Policy, which will establish standards such as eligibility thresholds, valuation criteria, approval authority, sunset periods, and other procedural requirements. Until that policy is formally adopted, no naming rights or naming recognition may be granted, except under special circumstances and only with the explicit approval of the City Manager and/or City Council, as appropriate. Upon adoption of the forthcoming Naming Rights Policy, this section will be updated to align with that policy's standards, including any provisions regarding sunset periods, removal, reassignment, or retirement of naming recognition. Nothing in this Policy supersedes or replaces the requirements of existing Administrative Directives governing roadside, park, or other memorial installations; such donations must comply with Administrative Directive 49.

POLICY:

All offers to donate to the City valued \$5,000 or greater, as well as all donations of public artwork, shall be submitted by the donor in writing for consideration of acceptance using the Donation Form. Donation offers should include the following details:

- Donor Name
- Donor contact details (email/phone number/address)
- If the donor is a nonprofit organization, the Employer Identification Number (EIN)
- Nature of donation (cash, property, artwork, etc.)
- Value of Donation
- Long-term obligations placed upon the City, including estimated ownership costs including expected maintenance
- Description of donation
- Intended use of donation

As outlined below, based on the value of the donation offered (including any required City expenditure upfront and/or long-term obligations), appropriate City staff shall review every *donation* and determine if the benefits to be derived warrant acceptance of the *donation*. The City must determine whether an expenditure of City funds, either a direct outlay of City funds or the use of City forces and materials, is associated with or required by acceptance of the donation prior to acceptance.

For any *designated donation* involving donor-imposed restrictions or conditions, departments must submit the donor's written instructions to the Finance Department for review before acceptance. Finance will determine whether the restriction is administrable, ensure appropriate accounts are identified or established, and identify any audit or reporting obligations associated with the donation.

Donations do not become the property of the City until accepted by the City consistent with this policy. The City has no obligation to accept any *donation* proposed by a *donor*.

Considerations for acceptance will include, but are not limited to:

- Determining if the donation is in the best interest of the City;
- Whether the donation is consistent with applicable City laws, policies, ordinances, and resolutions;
- The long-term cost of ownership including anticipated expenditures and/or maintenance obligations associated with the donation;
- Potential liabilities, including hazardous conditions or environmental considerations;
- Whether the donation has any special restrictions, and if so, if those restrictions are acceptable to the City.

To ensure timely processing of donation offers, the City establishes the following review and approval timelines:

- Department Head review: within 30 business days of receiving a complete donation offer.
- City Manager review: within 30 business days of receiving a complete donation offer.
- City Council review: placed on the next available Council agenda following City Manager / Department Head review and completion of staff analysis.

These timelines are intended to set expectations for processing but may be extended when additional analysis, legal review, site assessments, or Council scheduling requirements apply.

A Donation Form (included at the end of this Policy) must be filled out by the donor, submitted to CityManager@escondido.gov, and completed by City staff. The City uses two separate donation forms: one specifically for donations of public art; and another for all non-public art donations valued at \$5,000 or greater, as well as for all donations of real property or artifacts, regardless of value.

The donor's signature is required, unless this requirement is waived by the City Manager. The City Manager may waive the signature requirement when obtaining a signature would be otherwise impractical. The Donation Form, including donor name(s) and *donation* amounts, are public information subject to disclosure pursuant to the California Public Records Act.

Following staff review, a copy of each Donation Form for both accepted and rejected donations shall be forwarded for information to the City Manager's Office and the designated department for which the donation was assigned. Each original Donation Form shall be maintained by the Finance Department.

Acknowledgement of the *donation* should be addressed to the donor in writing and is the responsibility of the *Beneficiary Department Head*. Undesignated donations, donations benefiting multiple departments, or donations accepted by City Council shall be acknowledged by the City Manager or designee. A copy of the Donation Form should be forwarded to donors.

Donation of Cash, Bequeaths, Personal Property, Real Goods, Services, Trust & Endowment Funds, Publicly Traded Equity, and Debt Securities

- A. Donations valued less than \$500 (excluding donations of artifacts, public art and/or real property) may be accepted by staff, who then notify the Department Head. The staff member accepting the gift is responsible for acknowledging the donation and thanking the donor. For undesignated donations of cash valued under \$500, funds are deposited into the General Fund. The Donation Form is not required for these donations, unless specifically requested by the donor.
- B. Offers of *donations* of cash, personal property, or services (including required City expenditures) valued between \$500 - \$4,999.99 may be accepted by a Department Head.

If the offer is of financial security or investment, the City shall liquidate that investment to cash. The *donor* is not required to sign the Donation Form.

- C. Offers of *donations* of cash, bequeaths, personal property, real goods, services, trust & endowment funds, publicly traded equity, or debit securities valued at more than \$5,000 and less than \$200,000 (including required City expenditures) may be accepted by the City Manager. The *donor* must sign the Donation Form, unless waived by the City Manager or designee.
- D. Offers of *donations* of cash, bequeaths, personal property, real goods, services, trust & endowment funds, publicly traded equity, or debit securities valued more than \$200,000 (including required City expenditures) must be accepted through a written resolution consistent with these guidelines and approved by the City Council.
- E. The *Beneficiary Department Head* or City Manager (or designee) who completed the Donation Form will be responsible for giving notice of the City Council's decision to the donor within 10 business days following the City Council's determination to accept or reject the proposed *donation*.

Based on the value of the donation offer as outlined 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 of the donation includes but is not limited to:

- A. Whether it is in the City's best interest and is consistent with applicable City laws, policies, ordinances, and resolutions;
- B. Whether there are any special restrictions and if so, if those restrictions are acceptable to the City;
- C. Consideration of whether an immediate, initial, or long-term City expenditure or commitment of City resources, which has not been included in the approved City budget, is required in order to accept the donation and would be considered fiscally responsible;
- D. Whether it creates a new, one-time or an ongoing general maintenance obligation for the City;
- E. The potential and extent of the City's obligation to maintain, match, or supplement the *donation*;
- F. Whether accepting the *donation* would further the best interests of the City; and
- G. For non-profit organizations, whether the organization is in good standing with the IRS and the California Attorney General's Office.

Designated cash donations can be deposited into an appropriate revenue account for the specified City department if one exists. Otherwise, they will be deposited into the City's unrestricted General Fund to be allocated for use at a future time. In order to increase a

department's budget to spend the funds, regardless of the amount or donor restriction, City Council approval is required through an approved budget adjustment.

Undesignated donations in an amount over \$200,000 will be distributed at the direction of City Council. Regardless of dollar amount or value, if a *donor* wishes to gift a *Designated Donation* by placing specific restrictions on the use of funds or the donation, that must be documented in writing and forwarded to Finance.

Donations of Real Property

All offers to donate *real property* to the City must include a title report and will be reviewed by the City Council, regardless of value. The City Council is responsible for accepting or declining donations of real property. Donations of *real property* may be accepted upon completion of the following process:

1. Donor must complete the Donation Form and provide a title report.
2. City Staff shall determine the approximate value of the donated *real property* and shall seek City Council approval to accept a *donation* if staff determines that the *donation* is in the City's best interest and acceptance is consistent with applicable City laws, policies, ordinances, and resolutions.
3. When seeking such approval, City Staff shall report to the City Council regarding:
 - The appraised value of the donation;
 - Any expenditures or maintenance obligations for the City associated with the donation;
 - Potential liabilities associated with the donation, such as hazardous conditions or environmental concerns;
 - Whether the donation has any special restrictions, and if so, if those restrictions are acceptable to the City; and
 - Any recommendations for conditions of acceptance.
4. The Economic Development Department shall administer the *donation of real property*.

Donations of Artifacts

All offers to donate *artifacts* to the City must be reviewed and accepted by the City Council. Donations of *artifacts* may be accepted upon completion of the following process:

1. City Staff shall determine the approximate value of the donated *artifact* and shall seek City Council approval to accept a *donation* if staff determines that the *donation* is in the City's best interest and acceptance is consistent with applicable City laws, policies, ordinances, and resolutions.
2. When seeking such approval, City Staff shall report to the City Council regarding:
 - Whether the item promotes hate, violence, or discrimination;

- Whether the item requires exclusive display or commercial promotion;
- The intention of the gift, including reviewing the *donor's* stated purpose, confirming that the gift is not offered to influence a decision or secure advantage, and completing a conflict-of-interest check for pending applications or matters between the City and the *donor*; and
- Provenance details for the item including origin and prior ownership.

3. The City Manager's Office shall administer the *donation of artifacts*.

Donations of Public Artwork

In order to facilitate a reasonable assessment of proposed *gifts* and loans of *public artwork* that are in the best interests of the City, the Director of Economic Development or designee, in consultation with other City departments as appropriate, and with the Public Art Commission (PAC), will coordinate the review of all aspects related to the acceptance of *donations* and loans of *public artwork*. Proposed *donations* and loans should be evaluated to determine whether they are in line with the City's overall goals and adopted plans and policies, whether they are placed in appropriate locations and integrated appropriately with their sites, and whether proper advance planning and preparation has taken place.

Proposals for *donations* and loans of *public artwork* that are made to any City official, or department should be referred to the Economic Development Department. Technical review should be undertaken by appropriate City staff and aesthetic review should be undertaken by the PAC. Staff and the PAC should provide a recommendation to the Director/City Manager/City Council, who has final approval authority over donations and loans of public artwork. *Donations* or *loans* valued at \$5,000 or below may be accepted by a Department Head; more than \$5,000 and less than \$200,000 may be accepted by the City Manager; and more than \$200,000 must be accepted by the City Council. These dollar amounts must include the value of any required ongoing City maintenance or other City expenditures.

Procedure for Review of Gifts or Loans of Public Artwork

1. Proposals

Proposals for *donations* and loans of *public artworks* shall be submitted by the donor in writing to CityManager@escondido.gov using the Donation Form – Public Art. The form will be forwarded to the Director of Economic Development or designee for consideration of acceptance. Donation offers should include the following details:

At a minimum, the proposals should include:

- Resume and biography of artist;
- Title of the artwork;
- Description of artwork including purpose, meaning, or intention of its creation by the artist;
- Digital images of the artwork;
- Technical drawing of the artwork including dimensions;

- Proposed site location(s) and necessary site improvements;
- Proposed date of installation;
- Statement of appraised value of art;
- Maintenance and installation requirements, including a cost estimate for installation;
- Any conditions related to involvement of or approval from the artist or their designated foundation for any future use of the artwork's image or likeness (e.g., reproduction, promotional materials, or digital representation);
- Report of artwork's condition if not new;
- If the donor is a nonprofit organization, the Employer Identification Number (EIN);
- If the artwork is being gift, certification of intellectual property rights to the work of art or any requirements for waiver or transfer of such rights to the City; and
- If the artwork is being loaned to the City for temporary display, any conditions related to the display and the duration of the loan, and whether the art is insured and evidence of insurance.

2. Internal Review

Initial review of proposals shall be made by relevant City Departments to ensure that the application is complete, to conduct an initial feasibility review of the proposal, and to determine what other requirements, i.e. permits, studies, etc., are required. Applicants will be notified in writing of any additional requirements and will need to provide written acceptance of the additional requirements before moving on to the Aesthetic Review.

3. Aesthetic Review

Once the proposal is deemed complete and the internal review is finalized, and City staff determines that the proposal is feasible, fiscally responsible, and in the best interests of the City, an aesthetic review shall be conducted by the PAC. Following this review, Staff and the PAC should provide a recommendation to the Director/City Manager/City Council, who has final approval authority based on the valuation of the donation or loan.

A representative of the individual or organization making the proposal will be invited to provide a presentation to the members of the PAC.

The PAC shall evaluate proposals based on the following criteria:

- The artistic merit of the proposed artwork;
- Compatibility with existing public art and the proposed site;
- Alignment with the [Public Art Strategic Plan](#) and/or other guiding policy documents;
- Availability of the site;
- Maintenance and installation requirements and anticipated costs to the City;
- Artwork condition, if not new;
- Liability considerations;
- Donor conditions; and

- Such other considerations that the PAC and City staff find relevant for the particular artwork.

4. Conditions of the Gift or Loan

The Artist will be required to enter into a Public Art Donation Agreement with the City to memorialize their understanding and agreement with respect to the installation, maintenance, financial responsibility, future use of the artwork's image or likeness, acknowledgement of the City's right to photograph or record the artwork and any other conditions of the *gift* or return of the *Public Artwork* on loan. Permanent donations of *public artwork(s)* will become the property of the City's public art collection and the *donor* must complete the Artist Rights Waiver form.

Sample agreements are available for staff on the Intranet, but they are only intended for initial drafting, not as final documents. Before preparing a Public Art Donation Agreement, the Director of Economic Development or their designee must inform the City Attorney's Office. A draft of the agreement should be sent to the City Attorney's Office for legal review and approval, following the City's standard contract procedures, before it is finalized or shared with a donor or artist for signature.

Declined Donations

The City of Escondido has the sole discretion, and reserves the right, to decline any offer of *donation* if, upon review, acceptance of the *donation* offer is not in the best interests of the City.

Council Notification

The City Manager's Office will prepare an annual report, sent via email to the City Council, of both accepted and rejected *donation* offers valued at \$5,000 or greater, with copies of the Donation Form or a short description of the reason for rejection.

CITY OF ESCONDIDO DONATION FORM

Required for all donation proposals

- valued at \$5,000 or greater
- all donations of artifacts
- all donations of real property

Completed forms should be emailed to CityManager@escondido.gov.

Donations of real property must include a copy of the Title Report.

Date:	Name of Donor:
Donor Phone Number:	Donor Email:
Donor Address:	Donation Type:
Value of Donation:	Employer Identification # (required for non-profits)
Description of Donation:	
<p>Potential immediate costs or obligations for acquisition or installation: <i>Describe any upfront costs or obligations the City would incur to obtain or install the donation.</i></p>	
<p>Estimated ongoing maintenance or replacement costs: <i>Identify any recurring expenses the City would be responsible for to maintain, repair, or replace the donated item over time.</i></p>	
<p>Longterm obligations for the City, including anticipated annual ownership costs: <i>Explain any other long-term responsibilities the City would take on and provide an estimate of the yearly costs associated with owning the item.</i></p>	
Intended Use or Any Conditions Related to the Donation:	
Additional Comments:	

I am donating the cash, real or personal property described above to the City of Escondido with the understanding that the donated asset will become the unconditional property of the City and that the City will determine its use. In the case of loans of public artwork, the above will not apply and the property will retain its original ownership. In the case of real or personal property, the City reserves the right to determine the retention, location, and other considerations relating to the donated asset's use or disposition. Determination of value, for tax purposes, is solely the responsibility of the donor.

Date

Donor's Signature (only required for real/tangible property or cash donations valued at \$5,000 or greater)

TO BE COMPLETED BY CITY STAFF ONLY

Donation Classification (check all that apply)

- Unrestricted
- Designated (by donor)
- Requires City expenditures to accept (i.e., installation, site improvements, staff support.)
- Requires long-term City obligations (i.e., maintenance, replacement, insurance, staff / vendor support.)

Department Review – Operational Assessment

- The application form is complete and all required supporting documentation is attached
- Donation is in the best interest of the City
- Donation complies with applicable City laws, policies, ordinances, and resolutions
- Estimated valuation of the donation, ownership obligations and maintenance costs have been reviewed and appear reasonable
- Anticipated costs to accept the donation have been reviewed and are acceptable
- Acceptance of donation is fiscally responsible
- Long- term ownership, obligations, and maintenance costs have been reviewed and are acceptable
- City can maintain, support, or supplement the donation as required
- All potential liabilities have been reviewed and are acceptable
- Required cross-department reviews have been completed (if applicable)
- For nonprofit donors: the organization is in good standing with the IRS/California Attorney General’s Office
- The Department consulted with Finance prior to acceptance

Department Review (for designated donations only):

- Any donor- imposed restrictions have been reviewed and are acceptable to the City
- The Department can operationally comply with the restriction(s)

Finance Review (for designated donations only) - Financial System Set-up and Compliance:

- Donor instructions have been reviewed and verified in writing
- Feasibility of administering the restriction has been reviewed with the Department
- Workday account structure has been evaluated
- Required revenue/project accounts have been created or identified
- Reporting and audit obligations have been identified
- Long-term financial obligations have been assessed and accepted
- City Council–approved budget adjustment has been obtained to allow spending of donated funds

Approved / Denied

Beneficiary Department	Department Contact
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Date	City Manager Signature (greater than \$5,000 and less than \$200,000)
Date Approved by Council - Attach Staff Report and Resolution (all donations of real property; all donations of artifacts; donations greater than \$200,000; donations for which a Councilmember played a role in soliciting, facilitating, or securing the donation; or any donation that the City Manager recommends for Council review due to the nature of the proposal)	

Finance Department

Date Recorded: _____ Account Number: _____

Capital Asset #: _____

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

Appendix B

CITY OF ESCONDIDO DONATION FORM - PUBLIC ART

Required for all proposed donations or temporary loans of public artwork.
 Completed forms should be emailed to CityManager@escondido.gov

Date:	Name of Donor:
Donor Phone Number:	Donor Email:
Donor Address:	Donation Type:
Employer Identification (required for non-profit)	
Name of artist:	Title of artwork:
Value of Donation:	Proposed site location(s) improvements:
Proposed date of instal	
Biography of artist:	
Description of artwork including purpose, meaning, or intention of its creation by the artist:	
If artwork is not new, report of artwork's condition:	
If the artwork is being loaned to the City for temporary display:	

- Is the artwork insured? (attach evidence of insurance)
- Any conditions related to the display and the duration of the loan

Maintenance and installation requirements, including a cost estimate for installation:

Any conditions related to involvement of or approval from the artist or their designated foundation for any future use of the artwork's image or likeness (e.g., reproduction, promotional materials, or digital representation):

Any conditions related to the City photographing or videoing the imagery of the artwork:

Potential immediate costs or obligations for acquisition or installation:
Describe any upfront costs or obligations the City would incur to obtain or install the donation.

Estimated ongoing maintenance or replacement costs:
Identify any recurring expenses the City would be responsible for maintaining, repairing, or replacing the donated item over time.

Longterm obligations for the City, including anticipated annual ownership costs:
Explain any other long-term responsibilities the City would take on and provide an estimate of the yearly costs associated with owning the item.

Intended Use:

Additional Comments:

Please attach the following to this form:

- Resume of artist
- Digital images of the artwork
- Technical drawing(s) of the artwork including dimensions
- Statement of appraised value of art
- For donations, certification of intellectual property rights to the work of art or any requirements for waiver or transfer of such rights to the City
- For temporary loans, evidence of insurance

I am donating the cash, real, or personal property described above to the City of Escondido with the understanding that the donated asset will become the unconditional property of the City and that the City will determine its use. In the case of loans of public artwork, the above will not apply and the property will retain its original ownership. In the case of real or personal property, the City reserves the right to determine the retention, location, and other considerations relating to the donated asset's use or disposition. Determination of value, for tax purposes, is solely the responsibility of the donor.

Date

Donor's Signature

TO BE COMPLETED BY CITY STAFF

Donation Classification (check all that apply)

- Unrestricted
- Designated (by donor)
- Requires City expenditures to accept (i.e., installation, site improvements, staff support.)
- Requires long-term City obligations (i.e., maintenance, replacement, insurance, staff / vendor support.)

Economic Development Review

- The application form is complete, and all required supporting documentation is attached
- Donation is in the best interest of the City
- Donation complies with applicable City laws, policies, ordinances, and resolutions
- Anticipated costs to accept the donation have been reviewed and are acceptable
- Long-term ownership, obligations, and maintenance costs have been reviewed and are acceptable
- City can maintain, support, or supplement the donation as required
- All potential liabilities have been reviewed and are acceptable
- For nonprofit donors: organization is in good standing with the IRS/California Attorney General's Office
- Additional requirements identified (i.e., permits, studies)
- Applicant notified of additional requirements (if applicable)
- Applicant accepted additional requirements (if applicable)
- Any donor-imposed restrictions have been reviewed and are acceptable to the City
- The Department can operationally comply with the restriction(s)
- Required cross-department reviews have been completed (if applicable)
- The Department consulted with Finance prior to acceptance

PAC Aesthetic Review

- Merit of the proposed artwork has been confirmed
- Donation is compatible with existing public art and proposed site
- Donation is in alignment with the Public Art Strategic Plan and/or other guiding policy documents
- Selected site is available
- Maintenance and installation requirements and anticipated costs have been reviewed and are acceptable
- Condition of the artwork has been evaluated and is acceptable
- All potential liabilities have been reviewed and are acceptable
- Any donor-imposed restrictions have been reviewed and are acceptable to the City
- Any other considerations identified by the PAC or City staff have been reviewed and are acceptable

Required Documentation Completed

- City Attorney's Office approved the MOU/Artist Agreement prior to sending to donor for signature
- MOU signed by donor
- Artist Rights Waiver form signed (for gifts only)

Approved / Denied

Date	City Manager Signature (greater than \$5,000 and less than \$200,000)
Date Approved by Council - Attach Staff Report and Resolution (donations greater than \$200,000, or any donation that the City Manager recommends for Council review due to the nature of the proposal)	

Finance Department

Date Recorded: _____ Account Number: _____
Capital Asset #: _____

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