

RESOLUTION NO. 08-015

Date 8/12/2008

A RESOLUTION BY THE CITY OF MEADOWLAKES, TEXAS,
ESTABLISHING PROCEDURES FOR ACCEPTING AND
PROCESSING OF DONATIONS OR CONTRIBUTIONS MADE TO
THE CITY FOR THE BENEFIT OF THE GENERAL PUBLIC OR
SPECIFIC USE AND PROVIDE FOR RELATED MATTERS.

WHEREAS, the City from time to time is the recipient of donations of goods and/or monies from private groups, individuals, organizations, and trusts for specific uses or general public benefit ("private donations"); and,

WHEREAS, the City previously did not have formal and uniform policies and procedures for processing such donations or contributions; and,

WHEREAS, receiving, accounting for, processing, and use of donations or contributions by a government entity such as the City may be restricted or subject to compliance with specific state statutes and rules.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby establishes the enclosed policy and procedures for receiving and processing of private donation made to the City. All prior procedures related to private donations are hereby superceded by the enclosed uniform policy and procedures.

PASSED AND APPROVED this the 12th day of August, 2008.

ATTEST:

/s/ Linda A. Wendling
Linda A. Wendling, City Secretary

SIGNED:

/s/ John Aaron
John Aaron, Mayor

Policy and Procedures for Donations to the City

1.0 Introduction

The City appreciates the generosity shown by individuals and organizations choosing to donate monies, goods and/or assets for use by the City. The City shall, if the private donation is accepted, make every effort to effectively utilize the donated items as part of providing city services and enhancements to the quality of life that our Meadowlakes residents enjoy. Consistent with that objective, the City shall adhere to a policy of not accepting items that cannot be appropriately utilized toward that goal, and reserves the right to return any item donated.

2.0 Scope

The scope of this resolution governs the planning, acceptance, accounting, usage compliance management, implementation and disposition of all private donations made to the City, including private individuals, groups, organizations, and private trusts. The scope includes all donations that are made in the form of goods, materials, monies and other assets. This resolution does not cover or govern volunteering of time or labor by individuals or organizations.

3.0 Acceptance and Receiving

- A. A formal signed letter by the private donor and/or donor parties ("the letter"), which shall define the specifics of the donated item(s) must accompany all donations of more than \$50.00.
 - 1. For cash donations, the amount of each donation shall be stated in the letter. The letter shall state the purpose of the cash donation in terms that define the general purpose or limitation for usage. Donations, whether it is adding cash to a previous donation or new donations, shall be accompanied by a separate letter.
 - 2. For material goods and assets, a description of the items shall be included and accompanied with model numbers or serial numbers or other adequate description of the goods or assets. Any usage constraints to be imposed on the, item(s) should be so stated in the letter.
- B. All donations are subject to review and acceptance by the City, with the level of required review dependent on the value of the contribution. Cash donations of less than \$500 or goods/assets donations with an estimated value of less than \$750 may be reviewed and accepted by the City Administrator. Items with original purchase value of a greater value shall require City Council formal acceptance. The criteria for acceptance of any item shall include a review of the intended purpose of the item and any use constraints defined in the donor letter. Review and acceptance process shall assure the donated item is consistent with the overall plans of the City and accordingly, make a determination that the item can be

effectively utilized consistent with the use constraints specified by the donor letter.

- a. The City shall have the option to not accept the proposed donation. Specifically, the City reserves the absolute right to reject the item if the City in its sole discretion concludes the item cannot be effectively used, or City will not be able to fulfill the terms and conditions stated in donor's letter.
- b. The donor is encouraged to notify the City of the intent to donate an item, allowing time for pre-coordination. The City administrator shall be available to coordinate with the donor on the details of the donation proposal.
- C. If the City formally accepts the item, ownership of the donated item transfers and becomes the property of the City. The item shall be inventoried and subsequently managed the same as all other City property. Also, if the item subsequently becomes unusable due to wear-out, obsolescence or no longer needed, the donated item may be disposed of consistent with the City's standard procedure for disposal of surplus or excess goods and equipment.

4.0 Accounting And Disbursement of Cash Donations

The City Treasurer may deposit cash donations in the City's General fund or other appropriate City managed fund. However independent of funds deposited therein, the donation shall to the extent feasible be accounted for and tracked in a way that ensures the cash is used consistent with the donor's constraints and intended purpose. Once the intended purpose of the donation is completed (i.e. the project has completed, items are purchased, or the function is operational) any residual monies shall be placed in a budget reserve line and made available for other uses as determined by City Council action.

In the event unforeseen circumstances occur which cause the cash donation to subsequently not be available for the intended purpose, the City shall coordinate with the donor to either return the money to the donor or modify the intended usage letter such that donation can be utilized. In the event that donor cannot be found (using accepted legal notification procedures), after 12 months the money shall be transferred to a budget reserve line to be used for an alternate purpose as defined by Council.

5.0 Process for implementation and use of donation

The City's standard process for project management, project definition, design standards, design, and construction shall be utilized for implementation of all projects utilizing donated money or items. In the event donated money is determined to be inadequate once a conceptual design and mature cost estimate is completed, Council may, at Council's sole discretion, opt to augment with public funds (when available) or cancel the project. If project is cancelled, the balance of the donated funds shall be dispositioned consistent with procedure defined in 4.0 above.

6.0 Public Recognition of Donor

City Council may, at Council's sole discretion, publicly recognize special donations of significance by appropriate posting of notice, plaque or naming of a portion of a facility in honor of the donor. In the event the donor is a private for-profit enterprise, the recognition shall not contain a commercial message, contact information or reference other than the name of the company.