



City of Monroe
Donation Acceptance Policy
Adopted July 23, 2019

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1.0 PURPOSE:

1.1 The purpose of this policy is to establish a formal process for acceptance and documentation of donations made to the City of Monroe. This policy provides guidance when individuals, community groups, and businesses wish to make donations to the City. The provisions of this policy shall be construed in accordance with, and shall be subordinate to, the applicable requirements of Chapters 2.52 MMC, Code of Ethics, and 3.40 MMC, Donations of Property to City. All donations are subject to be included in the City's asset inventory listing as applicable.

2.0 TYPES OF DONATIONS:

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

3.0 CONSISTENCY WITH CITY INTERESTS

3.1 Designated donations may only be accepted when they have a purpose consistent with the City's long range strategic plans, goals and objectives, comprehensive planning documents, municipal code, policies and are in the best interest of Monroe. The City must always consider the public trust and comply with all applicable laws when accepting donations.

4.0 ACCEPTANCE OF UNDESIGNATED DONATIONS OF CASH OR TANGIBLE ITEMS

4.1 All donations to the City, including art as defined in the City's Public Art Policy, 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 the acceptance of the donation. A subject matter expert shall estimate the value of any nonmonetary donation not supported by a bona fide appraisal for purposes of compliance with this section. (MMC 3.40) The following points list the threshold amounts for donation acceptance:

1. All monetary and nonmonetary donations with a current value of up to five thousand dollars may be approved and accepted for the City by the Mayor.
2. All donations with a value greater than five thousand dollars must be approved by the City Council before acceptance.
3. Offers of donations of cash or items valued more than five thousand dollars must be approved by the City Council before acceptance (MMC 3.40.030). A subject matter expert shall estimate the value of any non-monetary donation not supported by a bona fide appraisal.

5.0 ACCEPTANCE OF DESIGNATED DONATIONS OF CASH OR TANGIBLE ITEMS

5.1 Based on the value of the donation offer as outlined in Section 4 above, appropriate City staff or Council will review the conditions of any designated donation and determine if the benefits to be derived warrant acceptance of the donation. Requirements for accepting donations or gifts:

1. The donation or gift shall have a purpose consistent with City Interests as stated above in Section 3.
2. The City may decline any donation or gift without comment or cause.
3. The donation or gift will not be in conflict with any provision of the law.
4. Any non-cash donation or gift will be aesthetically acceptable to the City.
5. If acceptance of the donation or gift would likely necessitate the expenditure of additional monetary and/or personnel resources by the City, the City may in its discretion: (i) decline the donation or gift, or (ii) condition the City's acceptance of the donation or gift upon the donor's agreement to fund or otherwise provide such resources.
6. The donation or gift places no restrictions on the City, unless agreed to by the Council.
7. All donations or gifts will receive recognition appropriate to the level and nature of the donation, as determined by the City. For those of a capital nature, that may be in the form of signage, marking, naming, or any other means the City should deem appropriate by an executed agreement. Regardless of the recognition strategy selected, the intent shall be to appropriately honor the donor for their contribution to the community.

6.0 ACCEPTANCE OF MEMORIAL TREE AND BENCH DONATIONS

6.1 The purpose of this section is to establish guidelines for a consistent decision-making process related to the acceptance, placement and long-term maintenance of public requests for memorial tree and bench donations in City-owned facilities, parks, natural areas and trail system.

Memorial Public Art considerations shall be subject to requirements of both this Policy and the City's Public Art Policy.

6.2 The City may limit memorials in order to promote resource management and sustainability of natural landscapes. The integrity, natural and architectural features of parks, natural areas and facilities will be preserved and not detract from a user's experience. Final decision on placement of memorials will be made by the Department receiving the donation. Memorials with a commercial appearance or corporate label will not be allowed.

6.3 All proposed donations will be evaluated by the Department Head according to the following criteria:

1. Placement of enhancements must be compatible with existing development plans.
2. Final decision as to location of donated item will be determined by the receiving Department.
3. Memorials shall not detract from or overpower the scenic or architectural values of the existing environment.
4. All memorials will be constructed of materials that meet the design and maintenance considerations of the Department.
5. Large scale memorial donations may be considered on a case-by-case basis as they relate to park planning and other city approval processes, including, but not limited to an executed agreement.

6.4 Application/Donation Procedure will be as follows:

1. Donor talks/meets Department Head to share ideas for memorial donations.
2. Donor makes a proposal in writing to Department requesting acceptance of proposal.
3. City Administrator and Department staff will review and determine the appropriateness of the proposal as measured by the approval criteria.
4. Department staff will notify the donor within twenty business days of the review decision, identifying any final conditions of approval. Conditions will include information on where donor can purchase and deliver agreed upon donated items and also any additional installation or equipment charges that may be applicable.
5. With a positive review decision, Department staff will finalize and execute an Agreement for Services.
6. Donor is responsible for the purchase or memorial benches or trees.
7. Donor will remit any applicable additional payments to the City to cover the cost of installation and materials.

6.5 Improvements made in a public space become the property of the public and will be maintained accordingly by the Department. Neither the City, nor the Department, can offer any guarantee or obligation, legal or otherwise, to maintain or replace signs, plaques, materials, equipment, structures, or other donated resources that are vandalized, lost, stolen or otherwise damaged or destroyed. The City does not guarantee permanency of any memorial.

6.6 Written approval must be received before order and installation of the memorial may proceed. The City will install the item and provide maintenance for a period of five years. Once installed the memorial becomes the property of the City of Monroe.

7.0 ACKNOWLEDGEMENT OF DONATIONS

7.1 A Donation Acceptance Form is required to be completed by the receiving Department Head or the City Administrator and/or City Finance Officer for all donations provided to the City.

- 7.2** Acknowledgement of the donation should be in writing and be the responsibility of the Department Head who is the beneficiary of the donation. Undesignated donations shall be acknowledged by the City Administrator and/or City Finance Officer. A copy of the acknowledgement agreement shall be provided to the donors.
- 7.3** The Donor Acceptance Form including the donor names and donations amounts are public information subject to disclosure pursuant to the Revised Code of Washington (RCW) 42.56, Public Records Act.

8.0 DECLINED DONATIONS

8.1 The City of Monroe 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 not be in the best interests of the City. A declined donation may be one that would violate the requirements of Section 5.

- 1.** Appeal Procedure.
 - a.** The donor shall have the right to appeal a declined donation.
 - b.** Written Notice of Appeal. A written notice of appeal shall be filed within five days after the mailing or personal delivery of a notice of a declined donation. This appeal shall set the grounds for the appeal.
 - c.** Appeal to Mayor or Designee. The Mayor or his designee shall hear the donor or a designated representative, receive any relevant information and documents, and act on the appeal within five business days. The decision of the mayor or designee is appealable to the City Council if there is sufficient time to be placed on the agenda for the next regular meeting.
 - d.** If Sufficient Time for Council Appeal. If there is sufficient time for a timely appeal to be heard by the City Council, on a decision made by the Mayor or designee, the donor may, at their option, request that the matter be scheduled before the City Council. The decision of the City Council is final and is not subject to further challenge.

9.0 DISTRIBUTION OF DONATIONS

- 7.1** Tangible items will be distributed to appropriate City departments for use or, at the discretion of the Department Head or City Administrator, disposed of in an appropriate manner according to this policy.
- 7.2** Donations of cash for designated donations will be deposited into the appropriate revenue account for the designated City department.

10.0 DISSEMINATION OF INFORMATION

- 10.1** 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.
- 10.2** Each original Donation Acceptance Form shall be maintained by the City Finance Officer.
- 10.3** A copy of each Donation Acceptance Form for accepted donations shall be forwarded for information to the City Council by the City Administrator and/or City Finance Officer.