

(R-94-767)

RESOLUTION NUMBER R- 283002

ADOPTED ON NOV 15 1993

RESOLUTION AMENDING COUNCIL POLICY NO. 100-2
REGARDING CITY RECEIPT OF DONATIONS.

BE IT RESOLVED, by the Council of The City of San Diego,
that Council Policy No. 100-2 entitled, "City Receipt of
Donations," be and it is hereby amended as set forth in the
Council Policy filed in the office of the City Clerk as Document
No. RR- 283002.

BE IT FURTHER RESOLVED, that the City Clerk is hereby
instructed to add the aforesaid to the Council Policy Manual.

APPROVED: JOHN W. WITT, City Attorney

By Cristie C. McGuire
Cristie C. McGuire
Deputy City Attorney

CCM:pev
11/05/93
Or.Dept:Mgr.
R-94-767
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CITY RECEIPT OF DONATIONS

BACKGROUND

From time to time, private individuals and agencies make donations to the City for general or specific purposes. General unwritten procedures exist for receiving gifts, but specific policies and procedures have not heretofore been written. The program of seeking community contributions for the Community Concourse highlighted the desirability of written policies and procedures.

PURPOSE

To formalize the conditions and procedures to be followed by the City in accepting donations.

DEFINITIONS

Donation - A contribution to the City which may consist of a cash grant, real property (land), or an in-kind contribution (any item or object other than cash or real property which would serve a useful purpose in the provision of City Services).

Unrestricted Donation - A donation to the City without any limitation being placed upon its use.

Restricted Donation - A donation to the City for a specified purpose.

POLICY

1. Real Property donations shall be reviewed and a legal opinion rendered thereto by the City Attorney before acceptance by the City. The City Council shall be responsible for the acceptance of all real property donations.
2. Unrestricted personal property donations do not require City Council approval for acceptance. Cash donations are a revenue to the General Fund and may be made directly to the City Treasurer. In-kind donations may be made directly to the using department. All donations of ~~\$250 or greater~~ are to be reported to the Endowment Officer. It will be the Endowment Officer's responsibility to insure that proper City officials are informed of the donations; that the donation is acknowledged; that timely reports are made; and that suitable recognition is afforded the donor.
3. Single restricted personal property donations may be made to the City for specific purposes. Such donations may be restricted for city-wide projects such as: Centre City, Mission Bay recreation facilities, Balboa Park development, or the San Diego-Yokohama Friendship Commission. They may also be restricted to projects on City property which would benefit only limited groups, such as: a community park or recreation center facility, improvements and landscaping in median strips, or shuffleboard courts. These donations may be cash or in-

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OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

kind contributions. The City will review the conditions of the restrictive donations and determine if the benefits to be derived warrant the acceptance of the donations. Responsibility for such review and acceptance is as follows:


- a. The City Council shall be responsible for accepting all restricted donations which:
 - (1) Create an immediate or initial City expenditure of ~~+\$500~~ ~~\$5,000~~ or more ~~which has not been included in the approved City budget.~~ This pertains both to a direct outlay of City funds or to the use of City forces and materials.
 - (2) Create an annual City maintenance obligation of ~~+\$500~~ ~~\$5,000~~ or more ~~which has not been included in the approved City budget.~~
 - (3) Materially affect or change any aspect of City operations.
- b. City departments or their appointed agents, such as Community Recreation Councils, shall be responsible for accepting those restricted donations not covered by item 3a.

Accepted cash donations will be deposited in the appropriate fund for future expenditure on the restricted purpose. Unaccepted donations will be returned to the donor.

4. Multiple restricted donations are cash donations made to the City for a special purpose or project by more than one individual or agency. The City Council shall be responsible for accepting all such donations. All accepted multiple donations restricted to the same purpose or project will be limited by the following:
 - a. Uniform conditions will apply to all donations.
 - b. A limited time will be established for accepting these donations.
 - c. A complete release must be granted upon acceptance by the City if the donor desires benefit of Federal income tax deduction.
 - d. The City will maintain detailed trust records.

Upon acceptance of multiple restricted cash donations by the City, the donations will be deposited in the appropriate fund for future expenditures on the specified project.

5. All donations shall become City property upon formal acceptance by the City Council or appropriate City department.

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Passed and adopted by the Council of The City of San Diego on NOV 15 1993
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

SUSAN GOLDING
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

By Mary Cepeda Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R. 283002 Adopted NOV 15 1993