



## **CITY OF SOUTH BAY 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 mean those donations that the donor specifies for a particular City department, location, or purpose. Undesignated donations mean 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 South Bay. 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 at \$5,001.00 or below may be accepted by a Department Director.
- B. Offers of donations of cash or items valued more than \$5,001.00 and up to \$10,000.00 may be accepted by the City Manager.

- C. Offers of donations of cash or items valued more than \$10,000 must be accepted by the City Commission. Donations valued at more than \$10,000 shall be accepted through a written agreement consistent with these guidelines and approved by the City Commission.
- D. 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 Department Director or 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 Department Director 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 amount are public information subject to disclosure pursuant to the F.S.S. Florida 119.

## **SECTION 7. DECLINED DONATIONS**

- A. The City of South Bay 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 Department Director or 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 \$5000 will be deposited into the City's General Fund. Undesignated donations in an amount over \$10,000 will be distributed at the direction of City Commission.

## **SECTION 9. DISSEMINATION OF INFORMATION**

- A. A copy of each Donation Acceptance Form for accepted donations shall be forwarded for information to the City Commission by 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.

## **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 the Palm Beach County, Code of Ethics.
- 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; 4 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 South Bay. 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.



# CITY OF SOUTH BAY 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**

\_\_\_\_\_  
**Date Submitted to Commission**

\_\_\_\_\_  
**Date Approved by Commission**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Mayor**

## DONATION AND GIFT POLICY ACKNOWLEDGEMENT

I have received and read the City of South Bay 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.

---

**Employee (PRINT NAME)**

---

**Signature**

---

**Date**