

1. Requested Motion:

Meeting Date: Nov. 7, 2011

Approve the Donation Policy and Procedures effective November 8, 2011

Why the action is necessary:

This action will implement a comprehensive donation policy which also establishes procedures and accounting requirements for any donations received.

What the action accomplishes:

This policy provides for a consistent method of receiving donations. It provides a reasonable level of assurance that any gift received will benefit the Town. The policy also provides a method to recognize donors for their contributions.

2. Agenda:

3. Requirement/Purpose:

4. Submitter of Information:

Consent
 Administrative

Resolution
 Ordinance
 Other

Council
 Town Staff
 Town Attorney

5. Background:

Individuals make donations to communities for a variety of reasons. Often donors will make a contribution because they want to make a difference. From time to time, family members make donations to a community to honor a family member or treasured friend. As a result of numerous donations to the Town in recent years, it became necessary to develop a consistent policy to address what types of gifts will be accepted, how they will be used and how they will be accounted for. The policy attached addresses those issues.

Attachments: Donations Policy and Procedures
 Gift Giving Catalogue for Fort Myers Beach – Volume 1; Fall 2011 (revised)
 Summary list of items in Volume 1

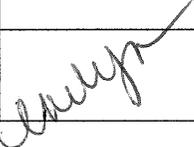
6. Alternative Action:

Reject or revise policy

7. Management Recommendations:

Approve Donations Policy and Procedures

8. Recommended Approval:

Town Manager	Town Attorney	Finance Director	Public Works Director	Community Development Director	Cultural Resources Director	Town Clerk
						

9. Council Action:

Approved Denied Deferred Other

Town of Fort Myers Beach
Donations Policy and Procedures

Section 1. Purpose. The purpose of this policy is to establish procedures for the acceptance of donations to the Town and specific Town departments. A uniform set of procedures shall be followed in acceptance of all donations and proper approval shall be obtained prior to acceptance. All cash, equipment, in-kind services, materials and sponsorships donated to the Town or Town departments shall be accounted for in accordance with the procedures set forth in this policy.

Section 2. Policy. The Town Manager is hereby delegated the authority to accept or reject offers of donations of money, equipment and in-kind contributions or sponsorships to Town Departments or the Town in general where the fair market value is \$10,000 or less. Donated money will be expended for general purposes within the department or for purposes as specified by the donor. Donations of equipment will be considered based on program outcomes, department goals and needs. Each donation will be evaluated for usefulness and potential cost of replacement and/or rental rates. In-kind contributions and sponsorships for specific events will be treated in the same manner as donated funds.

For monetary, equipment and in-kind contributions or sponsorships where the values exceeds \$10,000, a report to the Town Council will be prepared by staff outlining the purpose of each donation and the advantages and disadvantages of accepting the gift. For monetary donations, the report will state whether the gift is a one-time contribution for a specific purpose or a contribution where the principal could be invested and the interest used to support all or part of a special project or program for a number of years. Council will decide, on a case by case basis, if money or a gift should be accepted or rejected.

The Town staff may produce and distribute "*Your Gift Giving Catalogue for Fort Myers Beach*" or similar publications which outline opportunities and procedures for donating money or specific items in honor or recognition of a person, organization, or event. The catalogue and/or similar publications may be placed on the Town's website and distributed within the community.

Section 3. Definitions.

- A. **Gift or Donation.** For purposes of this policy, the terms "gift" and "donation" may be a monetary contribution and/or equipment, in-kind goods or services, or sponsorships which a Town department or the Town has accepted and for which the donor has not received any consideration, goods or services in return.

Section 4. Donations to the Town.

- A. **Responsibility.** Once donations are accepted by the Town Manager, responsibility for management of the donation shall lie with the appropriate department as designated by the Town Manager. All donations that exceed \$10,000 must be approved by the Town Council.
- B. **Accounting.** The Finance Department has established and will maintain a separate donation account. All monetary donations shall be deposited into that account.

- C. Accepting Unsolicited Donations. Unsolicited donations shall be accepted only if they have a valid use to the Town as determined by staff and the Town Manager.
1. Donors who wish to give a gift which is not specific to any department may give a gift to the Town in general. The Town Manager, in the exercise of his discretion, will determine if such gifts should go to a specific department or to the general Town donation fund.
 2. If the item is of no use to the Town or would be more effectively used elsewhere, the donor will be informed, as soon as possible, and referred to an appropriate agency by the Town Manager.
 3. Proof of Ownership. If there is any question as to the legal owner of the donated item, proof of ownership may be required.
 4. Restrictions. Donors shall be encouraged to place minimal restrictions on donated items or funds, thus allowing the Town as much flexibility as possible in determining the best use of the item(s) or funds.
- D. Conditions for accepting/rejecting donations. Staff shall work with the donor to assure that restrictions are reasonable and do not leave the donor with unrealistic expectations regarding the donation. The following are criteria which may be considered in determining if a donation is appropriate for acceptance:
1. Is the use of the item or money for a designated purchase consistent with existing Town policy, program outcomes and department/Town goals?
 2. Do restrictions upon the use of the item or funds make it practical to accept the items or funds?
 3. Do restrictions on disposal or retention of the item or funds make it practical to accept?
 4. Is required accounting for the item or funds excessively difficult?
 5. Would equipment require extensive repair or maintenance, and if so, is maintenance support available and reasonable?
 6. Does use of equipment or materials require the purchase of additional items in order to be useful?
 7. Does acceptance of funds, equipment or in-kind services or materials present a conflict of interest for the Town or its employees? Regardless of the value of the donation, if the donor is a contractor, potential contractor or there is any reason to believe there may be a conflict of interest, then the Town Manager will determine if the gift should be accepted, rejected or submitted to Council for approval. Gifts to individual employees are strictly prohibited by the Town's Personnel Manual.

8. Will the donation result in an increase to the Town's budget?

Section 5. Procedures.

A. Gifts valued at \$10,000 or less.

1. A donation receipt form will be completed when donations are received, with the form completed by Town staff. The donor shall retain a copy, the director shall be sent a copy and a copy will be sent to Finance.
2. The donor, *not staff*, must determine the fair market value on the gift.
3. The Town Manager will acknowledge each gift by letter, thanking the donor for the gift.

B. Gifts valued at more than \$10,000.

1. All gifts valued at more than \$10,000 as determined by the donor require Town Council approval. Subsequent to Council's acceptance, procedures for acceptance of gifts in excess of \$10,000 shall be the same as those in Section A above.

Town of Fort Myers Beach - Gift Giving Catalogue
Items listed in Volume 1 - Fall, 2011

General Donations

Fort Myers Beach Townwide
Bay Oaks Recreation Center
Mound House
Newton Park
Shorelife and Bayside
Island Streetscape
Estero Island Historic Structures
Special Events
Times Square

Programs and Activities

Indoor Play Equipment	Bay Oaks Recreational Campus
Outdoor Play Equipment	Bay Oaks Recreational Campus
After School Programs	Bay Oaks Recreational Campus
Teen Programs	Bay Oaks Recreational Campus
Leagues, Camps and sports clinics	Bay Oaks Recreational Campus
Community Pool	Bay Oaks Recreational Campus
Recreation Special Events and Tournaments	Bay Oaks Recreational Campus
Fitness classes	Bay Oaks Recreational Campus
Senior program	Bay Oaks Recreational Campus

Landscape and maintenance

Bocce Court Maintenance	Newton Park
Landscape Donation	Mound House
Landscape Donation	Newton Park
Beach Access maintenance	Shore Life and Bayside
Trash removal	Shore Life and Bayside

Equipment and materials

Training Equipment	Newton Park
Plaque Donation	Estero Island Historic Structures
Educational Equipment	Mound House
Kayak Equipment	Mound House

Specific items:

Acrylic Donation Box with Pedestal @\$275 - 2 needed	Mound House
Indoor Carpeted Area Rug - @ \$170 - 2 needed	Mound House
Museum Stool @ \$175 - 50 needed	Mound House
1950's era refrigerator @ \$300 - 1 needed	Newton Park
32" LCD HDTV/DVD combo @ \$545 - 1 needed	Newton Park
Body solid G10B biangular home gym @ \$2,525 - 1 needed	Bay Oaks Recreational Campus
Callphone voicesaver compact portable sound system 5W @ \$105 - 5 needed	Mound House
Classic iPod @ \$250 - 1 needed	Bay Oaks Recreational Campus
Customizable Bocce Scoreboards @ \$206 - 2 needed	Newton Park
DVIt Smart board Overlay @ market - 1 needed	Newton Park
GE chest freezer @ \$325 - 1 needed	Bay Oaks Recreational Campus
Mayday emergency whistles for kayak life vests @ \$5 - 40	Bay Oaks Recreational Campus
Nordic track commercial 1750 treadmill @\$2,099 - 2 needed	Bay Oaks Recreational Campus
Nordic track commercial VR exercise bike @ \$1,299 - 1 needed	Bay Oaks Recreational Campus
Nordic track elite 9.1 elliptical machine @ \$1,999 - 2 needed	Bay Oaks Recreational Campus
Nordic track GX2 exercise bike @ \$400 - 1 needed	Bay Oaks Recreational Campus
Pedestrian cross walk sign - Estero Blvd @ \$350 - several needed	Streets and Public Works
Regulation volleyball standards & net system \$2,300 - 1 needed	Bay Oaks Recreational Campus
Reusable table covers with skirting @ \$12 - 30 needed	Bay Oaks Recreational Campus
Single Post Picnic Tables 2 seats @\$1,182- 4 needed	Mound House
Single Post Picnic Tables 3 seats @\$1,401- 4 needed	Mound House
Sony cybershot digital camera @ \$260 - 1 needed	Bay Oaks Recreational Campus
Used 8 passenger electric golf cart - @ \$3,950 - 1 needed	Mound House