

CITY COUNCIL POLICY

SUBJECT: ACCEPTING GIFTS TO THE CITY

NO.: K-6

PURPOSE:

To establish uniform procedures for the receipt of gifts and/or donations to the City of Mountain View.

The City has been the beneficiary of many important and valuable gifts to the citizens of Mountain View. Gifts and donations have taken the form of donations of money, art, educational or other equipment, services rendered free or below cost, as well as other valuable commodities.

It is the intent of the City to continue to encourage this generosity while at the same time balancing the needs of the City. This policy is meant to emphasize the importance of gifts and donations to the City while assuring that the acceptance of gifts are consistent with City policies and do not negatively impact City resources.

POLICY:

1. For the purposes of this policy, the terms “gift” and “donation” shall be synonymous and may be defined as monetary contributions to the City or material items such as objects of art (e.g., statue, sculpture, painting) or facility fixtures/amenities (e.g., bench, fountain, tree or other flora).
2. The following criteria shall be used by the City in determining if a gift or donation will be accepted:
 - a. There are no restrictions upon the use of the donated item or funds making acceptance impractical for the City.
 - b. The City has adequate resources to maintain and/or account for the gift.
 - c. There are no existing liens or encumbrances on the gift/item.
3. The policies and procedures contained in this policy are not applicable to gifts or donations made to the Stevens Creek Trail or Mountain View donor recognition programs. The policies and procedures governing the acceptance of gifts and donations to the Stevens Creek Trail are the responsibility of the Friends of Stevens Creek Trail.

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4. The City shall approve the design and placement of material gifts so that they are complementary to their surroundings.
5. Installation costs of a donated item shall be the responsibility of the donating party unless otherwise agreed to by the City prior to its acceptance.
6. Once a donated item is accepted by the City, all maintenance and upkeep costs of the item shall be the responsibility of the City.
7. Any modifications to existing or approved material gifts shall be approved by the City. All costs associated with the modifications shall be the responsibility of the requesting party.
8. Gifts accepted by the City shall become the property of the City of Mountain View. Unless a special agreement concerning the ultimate disposition of the gift is entered into at the time the gift is accepted, it is understood that the City has sole authority to determine the use, transfer, relocation, handling, or disposition of the gift.
9. Donations may be made to the City in general or to a specific City department or facility.
 - a. General donations to the City.
 - (1) The City Manager, or his/her designee, shall determine whether or not to accept general gifts offered to the City.
 - (2) At the City Manager's discretion, any offer of a gift or donation may be brought before the City Council for review and approval prior to acceptance of the gift or donation.
 - (3) The City Manager, or his/her designee, shall coordinate with the appropriate City department(s) to ensure the proper installation and maintenance of accepted material gifts.

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- b. Donors may also offer a gift to a specific City department or facility operated by a City department.
 - (1) The department head with responsibility for the department shall determine whether or not to accept the gift.
 - (2) The department head shall consult with the City Manager, as necessary, to determine if review and approval of the donation by an advisory board/commission, the City Manager, or the City Council is required prior to the acceptance of the gift or donation.
 - (3) The department head shall coordinate with the appropriate City department(s) to ensure the proper installation and maintenance of accepted material gifts.
 - c. The acceptance of all monetary donations shall be coordinated with the Finance and Administrative Services Department to ensure the proper deposit, accounting, and expenditure of donated funds.
- 10. Accepted donations shall be acknowledged in the form of a thank you letter from the City staff person responsible for accepting the donation and certificate signed by the Mayor suitable for framing. Donations not accepted by the City shall be declined in the form of a letter from the City staff person responsible for the decision not to accept the donation.
 - 11. At the request of the donating party, an appropriately sized and designed recognition plaque or marker may be installed as part of the donation of an inanimate object with a monetary value (including installation costs) greater than or equal to \$1,000. Donations of animate objects (e.g., trees, flowers, or other flora) with a value at or exceeding \$1,000 may, at the request of the donating party, be recognized with a plaque, marker, or as part of a donor recognition board, as approved by the City.
 - 12. City staff shall periodically adjust the minimum value of donations eligible for a recognition plaque or marker to reflect inflation and/or other cost factor adjustments. 2000 shall be considered the base year for these adjustments and indexed at 100.

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13. Any gift of real or personal property, entrance to events, or a gift of services that may be utilized by City officials shall comply with the gift limitations and disclosure requirements established by the Fair Political Practices Committee.

Revised: December 4, 2018 (CPC)

Revised: December 12, 2000, Resolution No. 16555

Effective Date: April 26, 1983

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