

Section 1. The purpose of this policy is to establish guidelines and a formal process for the City of Oceanside’s consideration of accepting gifts and donations in a responsible, transparent, and accountable manner. 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 to the City during the performance of City business.

Whenever possible and practical, donors are encouraged to make donations to a non-profit organization that partners with the City in support of its operations, such as “Friends of the Oceanside Public Library” or “Friends of the Oceanside Parks.”

This policy does not apply to sponsorships of City hosted events, such as service award ceremonies.

Section 2. Types of Donations

Donations may be offered in the form of cash, real or personal property and can be designated or undesignated. Designated donations are those donations that the donor specifies for a particular City department, location, or purpose. Undesignated donations are 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 Oceanside. The City must always consider the public trust and comply with all applicable laws when accepting donations.

There shall be no consideration or expectation of a quid pro quo or special treatment when the City accepts a gift from any member of the public. The City will not accept donations from any individual, group, or entity that has a pending discretionary land use application or proposal for the purchase or sale of real property.

Section 4. Acceptance of Undesignated Donations of Cash or Tangible Items

All donations 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 \$25,000 or below may be accepted by a Department Director.
- B. Offers of donations of cash or items valued more than \$25,000 and up to \$50,000 may be accepted by the City Manager.
- C. Offers of donations of cash or items valued more than \$50,000 must be accepted by the City Council. Donations valued at more than \$50,000 shall be accepted through a written agreement consistent with these guidelines and approved by the City Council.
- D. Offers of donations of a holiday gift basket or similar de minimis donation valued under the gift reporting limit in the Political Reform Act may be accepted by the Department Director, or designee, provided the donation is 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; and
- B. The potential and extent of the City's obligation to maintain, match, or supplement the donation.

Section 6. Acknowledgement of Donations (This section does not apply to de minimis 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 name and donation amount is public information subject to disclosure pursuant to the California Public Records Act.
- D. The City does not provide legal, accounting, tax or other such advice to donors. Each donor is ultimately responsible for ensuring the donor's proposed donation meets and furthers the donor's charitable, financial, tax, and estate planning goals. As such, each donor is encouraged to meet with a professional advisor before making any donation to the City.

Section 7. Declined Donations

The City 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 \$50,000 will be deposited into the City's General Fund donation account. Undesignated donations in an amount over \$50,000 will be distributed at the direction of City Council.

Section 9. Dissemination of Information

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



CITY OF OCEANSIDE DONATION 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:

Department Director Signature

Date

City Manager Signature

Date

Mayor Signature

Date

NOTE: The City of Oceanside cannot guarantee future funding for repair, maintenance, use, or replacement of donated items.

cc: City Council, Finance Department, City Clerk



CITY OF OCEANSIDE DONATION ACCEPTANCE FORM

DONATION AND GIFT POLICY ACKNOWLEDGEMENT

I have received and read the City of Oceanside 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