

**COUNCIL POLICY  
CITY OF CHULA VISTA**

**SUBJECT: Donations to the City policy**

**POLICY  
NUMBER**

**EFFECTIVE  
DATE**

**PAGE**

XXX

**ADOPTED BY:** (Resolution No.)

**DATED: 2020**

**AMENDED BY:** Resolution No. (date of resolution)

**A. 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.

**B. POLICY**

There are occasions when donation offers are made to the City. Donations generally come in the form of facility enhancements, monetary gifts, memorial items, services/labor, equipment/materials, land/real property, or partnership projects. This policy shall apply to all donation offers. Prior to accepting a donation, the City shall determine if accepting the donation would be in the best interest of the City. If such a determination is made, the City may proceed with accepting the donation.

**C. DESCRIPTIONS**

**1. Types of Donations**

- a. Designated Donations means donations which the donor specifies are to go to a particular City department, location, or purpose.
- b. Undesignated Donations means those donations that are given to the City for an unspecified use.

**2. Consistency with City's Best Interest** - 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 Chula Vista. The City must always consider the public trust and comply with all applicable laws when accepting donations.

**3. Acceptance of Donations**– All donations to the City, shall be processed in accordance with this policy. Based on the value of the donation offered as outlined below, appropriate City staff, or the City Council, shall review every donation and determine if the benefits to be derived warrant acceptance of the donation.

**D. PROCEDURE**

1. **Donation Acceptance Form:** The Donation Acceptance Form, a copy of which is attached to this policy, is required to be completed by the receiving Department Director or the City Manager and, if applicable, the City Attorney and/or the City Council, prior to a donation being accepted. This form may be updated from time-to-time by the City Manager, as necessary.

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**2. Approving Authority**

- a. Department Director: Offers of Designated Donations of items valued at \$5,000 or below may be accepted by the Department Director of the department for which the donation is designated.
- b. City Manager: The City Manager is authorized to accept all donations within a Department Director's authority as well as offers of:
  - i. Designated Donations of items valued at more than \$5,000 and up to \$25,000;
  - ii. Undesignated Donations of items valued at up to \$25,000; and
  - iii. Monetary donations up to \$25,000. Monetary donations must be submitted to the Finance Department for proper deposit and accounting purposes.
- c. City Council: City Council approval is required for all of the following offers of donations:
  - i. Donations valued at more than \$25,000
  - ii. Donations of real property; and
  - iii. Any donations which require budget amendments
- d. City Attorney: If the donation involves real property or in-kind services, City Attorney review and approval shall be obtained prior to accepting the donation.

**3. Donation Evaluation.** Once a donation offer is made to the City, the appropriate Department Director or City Manager will review the conditions of the donation and determine if accepting the donation is in the City's best interest and if the benefits to be derived warrant acceptance of the donation. Criteria for the evaluation include but are not limited to:

- a. Consideration of whether an immediate or initial expenditure is required in order to accept the designated donation;
- b. The potential for, and extent, of the City's obligation to maintain, match, or supplement the donation;
- c. Donations from an organization can only be accepted if the organization is a legal, legitimate operation that is in good standing with the state and the City, as determined in the sole discretion of the City;
- d. Donations which require City Council approval shall first be evaluated based on the above criteria by the City Manager, or designee, who will determine whether the proposed donation will be recommended for City Council approval.

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4. **Donation Acceptance.** If the appropriate approving authority determines that the City will accept the donation, he or she shall:
  - a. Obtain all necessary signatures on the Donation Acceptance Form and, if required, prepare the item for City Council approval. In addition to the types of donations identified in 2.c. above, those which require a budget amendment or appropriation must be approved by the City Council.
  - b. Notify the Director of Finance of any monetary donations.
  - c. Provide a copy of the Donation Acceptance Form to the donor(s).
5. The Donation Acceptance Form including the donor names and donation amounts are public information subject to disclosure pursuant to the California Public Records Act.
6. The City of Chula Vista 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.
7. City staff, with the approval of City Council, shall maintain a list of possible City programs for designation by an interested donor, or for City Council consideration when directing un-designated donations. Such list shall be updated from time to time, made available to prospective donors, and attached hereto.