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CITY OF EDINA DONATIONS POLICY

OVERALL POLICY

The objective of this policy is to provide a welcoming and efficient system of uniformly and responsibly accepting donations to the City of Edina. The policy encourages donations from individuals, civic groups, churches, organizations, foundations and businesses for either specified or unspecified use by the City. The policy also creates systematic procedures for the review and acceptance of gifts by identifying the City agency(ies) responsible for accepting gifts; maintaining standards for accepting gifts; managing gifts; keeping records of gifts; and facilitating appropriate recognition of donors.

DEFINITIONS

“Gift” and **“Donation”** shall be synonymous. They may be monetary contributions, material items, intellectual property, or services, which the City Council has accepted and for which the donor has not received any goods, services, or advertising service in return.

City Facility: Includes parks, buildings, major features, streets and amenities owned by the City of Edina.

Existing Donation: Donations accepted prior to the adoption of this policy.

New Donation: Donations made after the adoption of this policy.

Restricted Donation: A donation given for a specified purpose or with conditions for use attached.

Sponsorship: Financial support of a program, good or service where the sponsor receives advertising in return for their sponsorship.

AUTHORITY

The acceptance of donations must comply with Minnesota Statute 465.03: Gifts To Municipalities. The acceptance of gifts requires administrative action. Only the Edina City Council retains the authority to accept gifts.

The City Council retains the sole authority to accept grants from the Edina Community Foundation.

BACKGROUND AND PRINCIPLES

The City of Edina should encourage and support gifts, grants and sponsorships from individuals, civic groups, churches, organizations, foundations and businesses because it is in the best interest of the City to receive additional funds and material gifts. An objective of this policy is to foster an environment that allows for a deeper commitment to the City through the act of giving. City residents and staff should be proactive in identifying and securing appropriate Edina Community Foundation grants for the good of the City.

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All gifts should be in keeping with the mission, ordinances, philosophy and policies of the City. The development of public facilities is expected to be the result of careful planning and quality construction, not to accommodate gifts. City facilities are to be enjoyed and used by all citizens and are not to become shrines to donors, memorialized persons or business entities. Donor recognition should not compete for attention, nor attract attention away from, the purpose for which the facility was created.

Donation acceptance standards and procedures should be clear and consistent, and foster cooperation between City staff and the donor. Acceptance procedure should ensure that donations not become burdensome to the City and that donors understand the City's policy for upkeep and retention. For donations of material items, all installation, and recognition costs should be included with the cost of the donation. The City reserves the right to charge maintenance costs. The City should not become burdened by pledged gifts that are not obtained, and therefore, pledges should not be considered donations. With the exception of real property, all material donations have a specific lifespan that should be clearly defined at the time of acceptance.

The City of Edina encourages and welcomes donations by private citizens of certain conservation easements, in order to protect natural, scenic, open or wooded areas within the City.

REAL PROPERTY

Real Property donations shall be reviewed and a legal opinion rendered thereto by the City Attorney before acceptance by the City Council.

GRANTS FROM THE EDINA COMMUNITY FOUNDATION

A grant to the City from the Edina Community Foundation shall be considered as a donation and shall comply with this policy.

SPONSORSHIPS

Donations received through sponsorships shall be considered as donations and shall comply with this policy.

GIFTS OF PROFESSIONAL SERVICES

Professional services and waivers of fees shall be considered as donations and shall comply with this policy.

NEW DONATIONS ACCEPTANCE CRITERIA

The following criteria shall be applied in determining whether a donation is appropriate for acceptance.

1. The donation shall meet a true need of the City. A facility may be determined to be fully developed and the opportunity for donations may not be available.
2. The donation shall be consistent with existing City policy, program outcomes and department or City goals.

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3. The donation covers the full cost for the purchase, recognition installation, and if required, maintenance during the expected life span of the feature.
4. The donation shall not typically result in an increase to the City's budget. Recipients shall bear in mind that donations are typically to be considered one-time supplements to Departments and should not be used to develop new programs or services which would require budget supplements from the City in the current or subsequent years.
5. Accounting for the item or fund shall not be excessively difficult.
6. The donation contains equipment that does not require extensive repair or maintenance, and if so, maintenance support is available and not burdensome.
7. The donation does not require the purchase of a burdensome amount of additional items in order for it to be useful.
8. The donation does not present a conflict of interest for the City or its employees.
9. The donation shall not interfere with the intended current or future use of the facility.
10. Pursuant to Minnesota Statute 465.03, "Nothing herein shall authorize such acceptance or use for religious or sectarian purposes."
11. The donation does not require the relocation of other equipment or infrastructure to accommodate it, unless the expense of such accommodation is included in the donation.
12. The City shall not accept sponsorships under conditions where sponsorship advertising detracts from, disrupts or adversely affects the experience or value of the service being provided.
13. The donated item or service shall not pose an unacceptable level of liability to the City.
14. If there is any question as to the legal owner of the donated item, proof of ownership may be requested.
15. The public shall refrain from creating a shrine.
16. No upright monuments or monuments resembling those typically found in cemeteries shall be accepted or installed at any City facility. The only exception to this criterion is the Veteran's Memorial monument.
17. No donations or sponsorships shall be accepted from individuals, groups or businesses that demand that, in return for their donation, the City advertise alcohol, tobacco, gambling or pornography.

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NEW AND EXISTING DONATION SPECIFICATIONS

Donations and their associated acknowledgement become City property upon formal acceptance by the City Council.

This policy does not consider donation pledges as donations.

The City reserves the right to remove, relocate or dispose of donations and their acknowledgments when they have been vandalized or damaged by a natural act beyond reasonable repair, reached the end of their life span, or when the donation and acknowledgment interferes with: site safety, maintenance, facility use, aesthetics or construction activities.

In accordance with this policy, the City shall attempt to notify the donor in writing at the address on file, of any action related to the disposition of the donation. In certain situations, such as safety or emergency situations, the notification may be made after the action has already taken place. In the event a donation must be permanently removed from its current site, the City shall seek an alternative location, consistent with this policy.

The City reserves the right to seek a new donor for an existing gift at the end of the established life span should the original donor choose not to renew the donation, or if the City has not been able to contact the original donor.

The City Manager or appropriate Department Director shall recommend to the City Council approval or rejection of all gifts and the location of their placement. The Department Director shall ensure that the products, construction materials and design meet City standards for maintenance, aesthetics and longevity.

A specific life span shall be stated for all material donations. The City does not guarantee the life span of a donation.

The City does not guarantee survivability of trees, plants or gardens. The size at planting and specie of tree or plants shall be limited to those determined by the City.

RESTRICTED DONATIONS

Staff shall assure that restrictions are reasonable and the donation is practical to accept and meets the criteria of this policy. All terms of restricted donations shall be clearly stated on the Donation Application and Agreement Form. City Council shall take action on the terms of the donation after hearing the advice of the Department Director or City Manager. Donations requesting the naming or dedication of a City facility shall comply with the City of Edina Naming and Dedication of City Facilities Policy.

ACCEPTANCE PROCEDURE

Administrative Responsibility: It shall be the responsibility of the City Manager to ensure that proper City officials are informed of the donation; that the donation conforms to this policy; that the donation is acknowledged; that City Council goes through an approval process accepting or rejecting the donation; that timely reports are made; and that suitable recognition

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is afforded the donor. The City Manager or a designated staff member shall maintain a record of each donation.

The donation record shall include the City of Edina Donation Application and Agreement Form. The Form shall contain all pertinent information such as the donor's name, name of the person, in whose honor the donation is dedicated, and the location or placement of the gift, if applicable. The Form shall state whether or not the gift is restricted, and if restricted, must specify the terms and details of the restrictions. Also included in the record shall be, if the gift is monetary, the dollar amount given, if the gift is not monetary a description of the donation, the lifespan of the gift, and a calculation of the cost of the donation to the City. The Form shall contain a signed acknowledgement that the donor has read and agrees to the City Donations Policy.

Notification: It is the responsibility of the donor to provide the City with a current address for purposes of notification regarding their donation and to notify the City in the event of a change in such address. The City shall send written notice to the donor at the most recent address on file, notifying the donor of changes related to the status of their donations, such as a need to remove, relocate, dispose of the donation, or comply with conditions set forth in this policy.

Installation: City personnel shall be responsible for approving the installation of donations. A gift installation shall not commence until donations for the cost of the entire donation project have been accepted by City Council. The installation shall be scheduled at a time and date as determined by City staff so as not to unnecessarily interfere with City activities.

Costs: The cost of a donation shall include the cost of purchase, the cost of a recognition plaque or element, site preparation, installation, and, if required the estimated cost of maintenance for the expected life span of the donated item. The expected life span of items typically donated shall be specified on a separate schedule.

DONATION APPROVAL AND ACCEPTANCE STEPS

1. The donor and City staff shall each complete their sections of the Donation Application and Agreement Form when donations are received. The donor shall retain a copy of this form as a receipt, a copy shall be sent to the City Manager and a copy shall be provided to the Finance Director.
2. Staff shall not place a value on the gift.
3. All cash gifts shall be deposited immediately with the Finance Department in accordance with City cash collection policy and procedure and shall be accompanied by a copy of the Donation Application and Agreement Form.
4. The Department Director shall preserve a record of donations to their department, and the City Manager shall preserve a record of all donations, and those not given to a specific department, by maintaining and updating contact information when notified, on the Donation Application and Agreement Form.

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5. Cash donations shall remain in the General Fund account until they are spent for their intended purpose. Unspent cash donations shall be carried over to the new fiscal year.

6. The City Manager or Department Director shall acknowledge each gift of \$250 or more by letter, thanking the donor for the gift. Further appreciation and acknowledgement shall be at the discretion of the City Manager or Department Director.

RECOGNITION PROCEDURES

A ceremony or gathering for recognition shall be permitted, and shall be arranged in coordination with City staff.

At the discretion of the Department Director or City Manager, the City may acknowledge donations publicly on the City website and in the City's other publications.

The City may recognize donors who have donated \$5,000 or more to the City at one time by placing their name, if desired, on a plaque. Donors, who have collectively contributed more than \$5,000 over a period of time, but never \$5,000 at one time, shall not be recognized on a plaque. A donor who gifts the City less than \$5,000, with the exception of bench donations, shall not be recognized by a plaque. Donors of benches shall be recognized according to the following criteria: standard recognition plaques shall be used on donated benches to promote consistency in cost, size, type and mounting with plaque language approved by the City. Bench plaques shall be a maximum of 3" high by 6" wide.

The Department Director or City Manager shall give prior approval for all acknowledgement and sponsorship signs, print material or banners.

The City prohibits locating, installing and maintaining individual tree plaques at the tree site. Recognition for tree donation shall be at the discretion of the Director of Parks and shall include recognition in a City publication or on the City website. The Director of Parks shall record the date and location of the planted trees, and if the donor prefers, information about the reason for the donation.