

CITY OF CLAYTON

DONATIONS, SPONSORSHIPS AND FACILITY NAMING

Section 1. Purpose

The purpose of this document is to outline policies and procedures for the acceptance of gifts and donations to the City of Clayton, as well as for sponsorships and naming of City facilities.

Section 2. Definitions

- A. City: The term "City" shall mean the City of Clayton municipal government and/or any of its departments.
- B. Cumulative Value: The term "cumulative value" shall mean the total value of gifts or donations offered by a single individual or entity in a given calendar year.
- C. Gifts and Donations: The terms "gift" and "donation" shall be synonymous and may be a monetary contribution, items of value such as stocks, bonds, equipment, and in-kind goods or services, sponsorships, and real property or the use of real property, that the City has accepted and for which the donor has not received any goods or services in return. The terms "gift" and "donation" shall not include uncompensated property interests acquired by the City of Clayton in association with right-of-way, sidewalks, City facility construction, enhancement projects, or similar infrastructure; nor shall they include government grants.
- D. Targeted Solicitation: The term "targeted solicitation" shall mean the direct petition or contact of specific individuals, companies, foundations or other entities initiated by the City for the purpose of receiving goods, services or other gifts or donations for the City. Targeted solicitation excludes the direct petition for government, private, or non-profit grants for City programs, projects and services approved by the Board of Aldermen.

Section 3. Authorization Levels

- A. Gifts to Employees:
 - 1. No employee shall accept or be influenced in their duties by an offer of any payment, gift or favor from any source other than their regular compensation from the City. It is particularly important that employees refrain from accepting gifts where it might be construed as evidence of favoritism or unfair advantage relative to any supplier or vendor.
 - 2. These limitations are not intended to prohibit the acceptance of: a) small gifts of no significant value, such as pens, pencils, note pads and other items which can be used in the performance of work duties; b) non-alcoholic consumable articles of no significant value, that can be shared by employees

on the City premises; c) articles donated in conjunction with employer-sponsored events; and d) other like items of a similar nature.

B. City Manager Authorization:

The City Manager shall have authority to make a final decision whether to accept offers of donations to the City with a cumulative value up to \$25,000. The City Manager may delegate this authority to a department head if acceptance of a given donation is specifically in keeping with an approved and established fundraising program. Donated money will be expended for the specific purpose so designated or for general purposes if no intent is specified. Donations of equipment will be considered based on City goals and needs, and prior to acceptance, be evaluated for usefulness, ongoing maintenance costs, and potential future replacement cost. In-kind contributions and sponsorships for specific events will be treated in the same way as donated funds. Corporations offering sponsorships or in-kind contributions will be requested to state the value of the offer or service. The City Manager will decide on a per case basis if the donation should be accepted.

C. Board of Aldermen Authorization:

The Board of Aldermen shall have authority to make a final decision whether to accept offers of donations to the City with a cumulative value over \$25,000. Corporations offering sponsorships or in-kind contributions will be requested to state the value of the offer or service. The Board of Aldermen will decide on a per case basis if the donation should be accepted or rejected.

Section 4. Considerations for Acceptance

- A. Staff shall work with the donor to assure that restrictions are reasonable and that the donor is not left with unrealistic expectations regarding permanency or duration of the donation. The following are goals/criteria which should be among those considered to determine if a donation is appropriate for acceptance.
1. The donor's designated use of the donation is consistent with existing City policies, program outcomes and City goals.
 2. Restrictions upon the use, disposal, or retention of the donation are not of such a nature as to make the donation impractical to accept.
 3. Accounting for the donation is not unduly complex or burdensome.
 4. The donation is not likely to require a level of repair or maintenance which would make it unduly burdensome or cost prohibitive to accept.
 5. The donation does not require the purchase of other equipment or materials to make it useful and which would in turn make it unduly burdensome or cost prohibitive to accept.
 6. Acceptance of the donation is not reasonably likely to present a conflict of interest or the appearance of a conflict of interest for the City or its employees.

7. Acceptance of the donation is not reasonably likely to imply endorsement of: commercial products, services, companies or individuals; any political or religious views; or any particular perspective on controversial community issues.
 8. The donation should not result in additional operating costs for which a funding source has not been identified and approved. A one-time donation may not be appropriate to use to develop a new program or service which would require additional funding from the City in subsequent years.
 9. Acceptance of the donation does not pose a burdensome level of additional potential liability, such as the level of indemnification, insurance, bonding or warranties requested.
 10. The ownership of the item to be donated is well-established and there is no question as to its ability to be legally transferred.
 11. The item to be donated is not of such a nature as to be reasonably likely to be offensive to common sensibilities.
- B. If the item has no use to the City or would be more effectively used elsewhere, the donor will be informed as soon as possible, and referred to an appropriate agency if identifiable by the City Manager's Office.

Section 5. Procedures

- A. Gifts to Employees:
1. It is the responsibility of the department heads to send out appropriate acknowledgement accepting small gifts of no significant value on behalf of employees to avoid any appearance of influence.
 2. Alcoholic beverages, or individual gifts to employees of significant value, shall remain unopened and be returned to the sender.
- B. Upon acceptance of a donation to the City by the City Manager or by the Board of Aldermen, responsibility for management of the donation shall lie with the department head having authority to use the donation for departmental purposes.
- C. The Finance Department shall establish separate donation accounts for departments to accept donations, and from which donations can be expended for specified purposes.
- D. A donation receipt shall be completed by the receiving department (see attached example) and signed by the department head. The donor shall be sent a copy and a copy shall be sent to the Finance Department.
- E. The department head shall also acknowledge each donation by letter, thanking the donor. For donations accepted by the Board of Aldermen, other forms of recognition may be approved by the Board if compelled by special circumstances. Examples include, but are not limited to public recognition at a

Board meeting, inclusion in City public communication materials such as electronic media and selected publications, and plaques.

F. Quarterly summaries of all donations shall be sent by the Finance Department to the Board of Aldermen as part of the quarterly budget report.

G. Cash Gifts:

1. Depositing and expending cash gifts: All cash gifts shall be deposited immediately with the Finance Department in accordance with City cash collection policies and procedures and be accompanied by a copy of the Donation Receipt Form. Funds shall be deposited in a separate department donation account if appropriate, or in a general City donation account. Each department head will oversee accounting and expenditures for funds that are deposited in department donation accounts. The Finance Department will oversee general donations to the City when a specific department is not designated by the donor.
 2. Recording cash donations: Donations must be supported in department files by the Donation Receipt Form that identifies the name of the donor, the amount and date of the donation, and the nature of restrictions on spending, if any.
 3. Procedures for expending donated cash: The donations may be spent from each department's donation fund when an appropriate purchase is made. Funds shall remain in this account until they are spent for their intended purpose. Donations can be carried over to the new fiscal year in each department's donation fund.
 4. Accumulation of funds for major projects: Where donations are being accumulated for a major project or fundraising campaign, the funds will be held in an appropriate account as specified in Section 5. G. 1. above until sufficient funds for the proposed project have been obtained. Funds from donations may not be released and the proposed project may not commence until sufficient funds to complete the project have been secured and/or identified, and spending authority has been obtained. Where appropriate, at the outset of major fundraising initiatives for specific projects, a target dollar goal and timeline should be established. In these instances, provisions should also be put in place to indicate to donors how collected funds will be handled in the event the overall goal is not attained and the project cannot move forward.
- H. Individual departments and the City, in general, may produce and distribute broad outreach materials outlining opportunities and procedures for making donations, including those in honor or recognition of a person, organization, or event. Any targeted solicitation undertaken by any City employee must be approved in advance by the City Manager or his designee.

Section 6. Commercial Sponsorships and Naming Rights

- A. **Commercial Sponsorships**: For sponsorships involving a financial act of support of a program, good or service where a sponsor would expect to receive advertising in return:
1. A recommendation of any affected advisory board should be sought;
 2. The terms of the sponsorship should be clearly defined, and when appropriate, bids should be sought;
 3. The terms should be set forth in a written agreement and approved as to form by the City Attorney;
 4. The City Manager shall have authority to approve such sponsorships with a value of \$25,000 or less involving a commitment of less than twelve (12) months; and
 5. The Board of Aldermen shall have authority to approve such sponsorships exceeding \$25,000 in value or involving a commitment of more than twelve (12) months.
- B. **Facility Naming**: Naming of City facilities and all associated amenities shall be within the authority of the Board of Aldermen, and require official Board action.
1. The City encourages the naming of new facilities as early in the planning process as possible.
 2. The City also encourages facility naming which reflects historical significance to the City of Clayton or is in some other way associated with a Clayton event, historical feature, or other important community-related action.
 3. Naming of a facility for a specific individual or corporation will only be considered if that individual or corporation has made a significant contribution to or for the benefit of the City of Clayton. Such contribution may be in the form of outstanding civic service over a prolonged period of time or donation of substantial property or funds for the acquisition/development of the facility. Names honoring living individuals must be supported by extraordinarily compelling reasons, along with a thorough background review.
 4. Facilities will not be named for a currently serving elected or appointed City official.
 5. Although it may not be appropriate to name a permanent facility after a particular individual or corporation, the naming of activities such as athletic events and scholarships, or amenities associated with a facility, may be appropriate alternatives.
 6. When a facility or associated amenity is to be named, suggestions should be sent to the City Clerk through completion of an application form (see attached). All forms received will be forwarded to any affected advisory

board for review and recommendation back to the Board of Aldermen prior to formal action.

7. If the naming of the facility or amenity is based on a significant financial contribution to or for the benefit of the City of Clayton from a specific individual or corporation, any associated terms of the naming should be set forth in a written agreement reviewed by the City Manager and approved as to form by the City Attorney. The draft agreement shall include such items as the length of term, conditions under which the naming rights may be forfeited, and level of public recognition to be received.
8. The City Manager will then direct that the application form/supporting documentation, the recommendation from any affected advisory board, and any draft written agreement, be incorporated into a Request for Board Action. The City Clerk will forward the materials to the Mayor and Board of Aldermen as an agenda item for formal consideration and action.



CITY OF CLAYTON DONATION RECEIPT FORM

Thank you for your generous donation to the City of Clayton. We are appreciative that you have chosen to support the Clayton community.

DONOR INFORMATION

Date _____

Name (please print) _____

Address _____

City _____ State _____ Zip _____

Telephone Number _____

DESCRIPTION OF DONATION

DONOR'S ESTIMATED VALUE: \$ _____

The City of Clayton does not estimate the value of donations. If you have not previously provided the City with an estimated value, you may fill in the fair market value of your donation and keep this receipt for tax purposes.

No goods or services were provided in return for this donation.

Department Head Signature: _____

Cc: Finance Department



CITY OF CLAYTON FACILITY NAMING APPLICATION

For consideration of a naming request for a Clayton municipal facility, this form should be completed and returned to the attention of the City Clerk, Clayton City Hall, 10 N. Bemiston Avenue, Clayton, MO 63105.

APPLICANT INFORMATION

Name (please print) _____ Date _____

Address _____ City _____

State _____ Zip _____ Telephone Number _____

E-mail Address _____

DESCRIPTION OF REQUEST

Facility Proposed for Naming: _____

Proposed Name: _____

Basis/Justification for Proposed Name (supplemental information may be attached):

If the naming request is based on a significant donation of substantial property or funds for the acquisition/development of the facility, what expectations would the donor have in terms of such items as the length of term, conditions under which the naming rights may be forfeited, and level of public recognition to be received?

Applicant's Signature: _____