

Policy for Gifts to the City

Purpose:

To provide guidelines for the City's acceptance of gifts in a responsible, ethical, transparent and accountable manner.

Types of gifts:

Gifts may be offered only in the form of cash, services or personal property*. A "restricted gift" is a gift designated by the donor for a particular City department, location or purpose. An "unrestricted gift" is a gift without any limitations placed on its use by the City. For the purpose of this policy, the term "gift" includes without limitation "donation" and goods or services provided by a City contractor or vendor beyond that specified in its contract with the City.

Procedure:

- The City Manager or appropriate Department Head shall perform an initial evaluation of a proposed gift. Factors to be considered include, but are not limited to, the following:
 - Whether acceptance of the gift is in the City's best interest and is consistent with applicable policies, ordinances, and resolutions;
 - Whether the acceptance of the gift would give rise to an appearance of impropriety;
 - In the case of a restricted gift, whether the gift obligates the City to make an immediate or initial City expenditure that has not been included in the approved City budget, and whether it may result in ongoing costs.
- The City shall consider whether to accept a proposed gift at a City Council meeting as an item on its agenda. Only the City Council may accept a proposed gift on behalf of the City. The staff report for the agenda item should discuss the staff's initial evaluation of the proposed gift. There is no need for staff to provide a recommendation to the City Council for each donation.
- To avoid the appearance of impropriety, among other things, the City shall not accept gifts from or on behalf of any donor who is in the process of obtaining discretionary approval from the City, or who applied for discretionary approval 18 months prior to the proposed gift. In the event a donor seeks discretionary approval from the City within 18 months following City's acceptance of a gift, the City shall return the gift to the donor.
- All gifts shall become City property.
- Upon acceptance by the City Council, a letter of the acknowledgement of the gift shall be sent to the donor, signed by the mayor.
- The City does not provide legal, accounting, tax or other such advice to donors. The City shall not provide to the donor an estimate of fair market value for gifts of services or personal property.

- The City will not accept anonymous gifts. All records of donations shall be subject to disclosure under the Public Records Act.

*Donations of real property are not subject to this policy. Any such proposed donations will be evaluated individually.

Policy for Gifts to City Employees and Officials

Gifts to individual employees and officials: Compensation for employees performing their public duty is limited to salaries, fringe benefits and any personal satisfaction that employees may derive from doing a good job. Officials include City volunteers who are appointed to serve on Committees, Boards and Commissions and are not compensated for their community service. Therefore, individual employees and officials shall not accept any personal gifts or tips from anyone other than the City for the performance of acts within the regular course of duties. Gifts include meals.

Gifts for the benefit of City employees: Edible gifts (e.g., gift baskets) are allowed but shall be made available to all employees. Alcohol is not allowed.

Received and Reviewed: _____



CITY OF PALOS VERDES ESTATES
DONATION ACCEPTANCE FORM

Name of Donor: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Description of donation: _____

Donation estimated value: _____

Council Approval Date (If applicable) _____

Potential immediate or initial acquisition or installation cost, any on-going maintenance or replacement cost: _____

Intended use and Location: _____

Conditions of acceptance or donor designation: _____

Does the Donor have any active or pending City/Public approvals underway? If so, describe: _____

Remarks/Comments: _____

City Department receiving donation: _____

APPROVED / DISAPPROVED

Date: _____

Department Head Signature (Under \$1,000)

City Manager Signature (over \$1,000)

Mayor Signature (over \$5,000)

cc: City Council via the City Manager
Finance Department