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## Donation Policy

The purpose of the City of Sault Ste. Marie's Donation Policy is to establish a policy and process for donations proposed at facilities, public parks, open space and trails on City property or on public easements. If you are interested in making a donation, please fill out the Donation Proposal Application.

### **POLICY**

There are occasions when interested parties wish to donate to City. It is the policy of the City of Sault Ste. Marie to consider all donation requests and decide if accepting the gift is in the best interest of the community. Donations generally come in the form of facility enhancements, monetary gift, memorial items, services / labor, equipment / materials, land / real property, or partnership projects.

### **SCOPE**

This policy applies to all City Departments.

### **PROCESS**

A Donation Proposal Application must be submitted by the donating party to the City Clerk. As necessary, the City may develop a review team to consider the proposal. In certain instances, the appropriate Department Advisory Board or the City Commission may be involved in the review process. The following guiding principles will be considered when evaluating a donation:

- appropriate and safe location for placement, easements, utilities, existing structures
- durability, high-quality materials, longevity, attractive
- liability, safety
- future or ongoing maintenance, budget impact
- future site development plans/future land use considerations
- natural environment
- accessibility, usefulness
- overall public acceptance/approval

Donations made on property with a conservation easement or deed restriction shall require approval from the easement holder if required per the applicable easement or deed. Depending on the nature of the donation, the City may request supplemental information such as: detailed project budget, copies of cost estimates, site plans, engineered drawings or conceptual drawings associated with the project, and proposed timeline to construct.

Once the proposal is reviewed, City staff will respond to the applicant if the donation was accepted or with the reasons the donation was rejected.

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### **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 or valued at \$5,000 or below may be accepted by the City Manager

B. Offers of donations of cash or items valued more than \$5,000 and up must be accepted by the City Commission. Donations valued at more than \$10,000 shall be accepted through a written agreement consistent with these guidelines and approved by the City Council.

C. Offers to provide services shall be accepted through a written agreement consistent with these guidelines and approved by the City Council.

### **IMPLEMENTATION**

The following guidelines are provided for the funding, installation, removal, maintenance, recognition, and liability of donations:

1. Funding - All costs, including initial installation, labor and materials are the responsibility of the donor unless City agrees to provide. Some projects may require an endowment to ensure the longevity of the gift and to assist the City with future maintenance.

In special situations, such as when the donor is allowed to hire a contractor, a memorandum of understanding or a project agreement may be required. A contingency fund may also be required, of up to 15% of project's cost, to cover necessary change orders and overruns associated with the project. Remaining contingency funds will be applied to the endowment fund for future maintenance costs.

2. Installation – As applicable, an installation timeline shall be developed for all donations. Work performed by the City, contractor or donor shall be identified. A City employee will be assigned as a manager for the project.

3. Removal or Relocation of Donor Project - Unless specifically agreed to in writing, the City may, at any future date, elect in its sole discretion to remove or relocate the donation. No permanent right, title, or interest of any kind shall vest in the Donor's behalf by virtue of donation acceptance.

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4. Vandalism & Maintenance - All normal maintenance costs are at the City's expense, however, no special maintenance and/or replacement is guaranteed. Improvements made in a public space become the property of the City of Sault Ste. Marie and will be maintained accordingly by the City under the administrative direction of the City Manager. The Department can offer no guarantee or obligation, legal or otherwise, to maintain or replace signs, plaques, materials, equipment, structures, or other donated resources that are vandalized, lost, stolen or otherwise damaged or destroyed.

5. Donor Recognition - Permanent forms of recognition, such as plaques, signs or decals, may be permitted only with the approval of the City Manager or designated City Department Director. Permanent recognition plaques shall be harmonious and integrated with the character and features of the facility, as determined by the Staff Review Committee. Other details, such as materials and wording, must be approved by the Review Committee as part of the written proposal.

6. Liability - In no event shall the City be liable for value or tax assertions/claims by the Donor. The Donor(s) agree(s) to hold the City harmless and indemnify the City for any and all claims which might arise from any person, entity or corporation, resulting from the Donor's use of the City property or right-of-way for installation purposes, or arising from the Donor's performance or improvement/item donated pursuant to this policy.