Town of Dumfries
Council Meeting

Meeting Date: March 5, 2013

Agenda Item# V - B

AGENDA ITEM FORM

TYPE OF AGENDA ITEM:

✓ CONSENT AGENDA
☐ PRESENTATION
☐ ACTION ITEM
☐ TOWN MANAGER & STAFF COMMENTS
☐ PUBLIC HEARING
☐ Duly Advertised

PURPOSE OF ITEM:

☐ INFORMATION ONLY
☐ DISCUSSION ONLY
✓ DISCUSSION AND/OR DECISION
☐ Introduction ✓Resolution
☐ Ordinance ☐ Grant/MOU
☐ By Motion ☐ Bylaws
☐ Certificate

PRESENTER: Christine Sanders **PRESENTER TITLE:** Town Attorney

AGENDA ITEM:

Fundraising and Donation Policy

BACKGROUND / SUMMARY:

Revised as discussed by Council at the meeting of February 5, 2013. Additional revisions were made holistically for clarity.

ATTACHMENTS:

Policy

REQUESTED ACTION:

Adopt the resolution

FOR MORE INFORMATION, CONTACT: Name: Christine Sanders

Phone#: (703) 221-3400 ext 140 E-mail: csanders@dumfriesva.gov

FOR USE DURING MEETING **VOTE:** ☐ PASSED ☐ NOT PASSED

Y	N		Y	N		Y	N	
☐	☐	Brewer	☐	☐	Foreman	☐	☐	Forrester
☐	☐	Reynolds	☐	☐	Toney	☐	☐	Washington
☐	☐	Wood						

AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL, HELD ON MARCH 5, 2013, IN COUNCIL CHAMBERS, 17755 MAIN STREET, DUMFRIES, VIRGINIA: ON A MOTION MADE BY _____, AND SECONDED BY _____, THE FOLLOWING RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE:

Charles C. Brewer, ;
Gerald M. Foreman, II, ;
Kristin W. Forrester, ;
Helen D. Reynolds, ;
Willie J. Toney, ;
Gwen P. Washington, ;
Derrick R. Wood, ;

RESOLUTION TO ADOPT A FUNDRAISING AND DONATION POLICY CP02-13

WHEREAS, the Town Council acknowledges that the Town may receive charitable donations and may desire to undertake certain fundraising activities not inconsistent with applicable law; and

WHEREAS, Town Council wishes to formalize a policy for fundraising and donations that may be made to the Town for Town programs.

NOW, THEREFORE, BE IT RESOLVED by Town Council that the following Fundraising and Donation Policy CP02-13 be and hereby is adopted this 5th day of February, 2013.

By Order of Council:

_____
Gerald M. Foreman, Mayor

ATTEST: _____
Dawn Hobgood, Town Clerk

Town of Dumfries
COUNCIL POLICY

Subject	Fundraising and Donation Policy
Policy Number	CP02-13
Original Effective Date	March 5, 2013
Revision Date	

TOWN OF DUMFRIES
FUNDRAISING AND DONATION POLICY

The Town Council wishes to have an existing policy in place for those individuals or businesses who may wish to assist the Town in implementing programs or initiatives. To do so, the Town wishes to develop and implement a policy for fundraising and receiving donations for established or identified Town programs, departments and/or initiatives. Identified but un-established programs or initiatives are those comprised in the Town's most recently adopted Capital Improvement Program. There may be tax advantages for those who may be willing to donate funds for Town programs, departments, and/or initiatives. The Town will account for all donations including those from fundraising activities with a line item maintained in the budget. The Town Manager or his designee shall be responsible for accounting for all received, approved, and accepted donations. At the end of each fiscal year, donations received during that year will be reported to Council.

I. Fundraising Guidelines for Fundraising

1. The Dumfries Town Council will approve all fundraising efforts by a majority vote of the Council in advance. Details of the fundraising project or program will be approved in advance by the Town Manager and/or his designee.

2. Approved fundraising events, shall have a clear, identifiable message for the goals for fundraising, including an accurate statement of the programs to be benefitted, items to be acquired, and the purpose for which all money received will be used.

3. All fundraising donations that are not earmarked for a specific existing program, or one identified by the adopted Capital Improvement Program, shall be incorporated into the general fund and such funds or donations received shall be spent or used according to the needs of the Town as determined by the Town Manager.

4. All earmarked donations from fundraising activities shall be spent accordingly or they will be returned to the donor. Should the donor not be able to be reached in the event that a Town program is abandoned or altered, then the Town Manager will bring the matter before Council with a recommendation for reallocation of the donated funds. Town Council must pass a resolution approving the reallocation of the donated funds before any of the funds may be used in a manner not consistent with the original donation.

II. Donations—Guidelines for Acceptance of Donations

1. Once donations are received for a specific purpose, the Town Manager or his designee shall see that the funds or donated items are used in accordance with that purpose. However, should the specific purpose for which donations were received be no longer feasible, the Town Manager shall bring this to the attention of the Town Council for direction as to what to do with the specified funds. The Town Manager may make a recommendation on the matter. The Town Council may either: a) return the funds to the original donors; or b) in the event that returning the donations to the original donors is not possible because the original donors are unable to be located or for some other reason, Town Council must pass a resolution to reallocate the specified funds to a new purpose as consistent with the original purpose as possible and not inconsistent with law.

2. The Town government and Council will be mindful of and comply with the Virginia Conflict of Interest Act (COIA). Accordingly, the Town Manager and Town Council may determine that in some circumstances proffered donations are not able to be accepted.

3. Donations may be eligible as a charitable contribution under the Internal Revenue Service but the Town will not participate in placing a monetary value on any donated items. Rather the Town may only acknowledge the acceptance of a gift. The Town reserves the right to not acknowledge the tax deductibility of a donation should there be any concern about a *quid pro quo.*

4. All donations must be accepted by the Town Council by resolution passed by a majority of the Council.

5. There shall be complete transparency of any donations proffered and/or accepted by the Town. This means that the proposed donors will be appropriately and publically acknowledged.

6. All earmarked donations including those donations from fundraising activities or otherwise, shall be spent according to the purpose for which they were donated or the funds will be returned to the donor. Should the donor(s) not be able to be reached, found or located or in the event that a Town program is abandoned or altered, then the Town Manager will bring the matter before Council with a recommendation for reallocation of the donated funds. Town Council must pass

a resolution approving the reallocation of the donated funds before any the funds may be used in a manner not consistent with the original donation.

III. Specific Charitable Programs

1. Christmas in Dumfries:

Christmas in Dumfries is a program that has been administered by the Town of Dumfries Police Department annually in December. Qualifying families' children may participate in this program whereby children are able to shop with a police officer at a local retail store for presents for their families. Families qualify for this program by guidelines set by the Prince William County Department of Social Services. Donations are accepted by the Town and are accounted for by the Town Treasurer.

Donations received for the Christmas in Dumfries program shall be acknowledged by the Town with a letter sent to the donor from the Town Manager or his designee.