

**CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON
ORDINANCE NO. 168(A)**

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE,
WASHINGTON, AMENDING ORDINANCE NO. 168, PASSED ON
FEBRUARY 19, 2008, ENTITLED “ESTABLISHING CRITERIA
FOR ACCEPTING DONATIONS FOR PARKS, FACILITIES, AND
RECREATION PROGRAMS”**

WHEREAS, the City Council recognizes the need to promote community involvement and active participation in quality of life components throughout the community; and

WHEREAS, the City Council recognizes the need to establish a fair, equitable, and uniform procedure for which gifts may be donated to the City; and

WHEREAS, the City Council is desirous of establishing criteria for accepting gifts or donations.

NOW THEREFORE, the City Council of the City of Liberty Lake, Washington does ordain as follows:

Section 1. Acceptance of donations of cash or tangible items

A. The Mayor, or appropriate staff will review the acceptability of any donation and determine if the benefits to the City of Liberty Lake (“City”) are appropriate and acceptable under all City rules and regulations, and applicable federal and state law.

B. Evaluation criteria shall include: 1) consideration of any immediate or initial expenditure required in order to accept the donation, 2) the potential and extent of the City’s obligation to maintain the donation, 3) the community benefit derived from the gift or donation; and 4) ethical appropriateness of donation.

C. Donations shall be designated as either a Restricted or Unrestricted donation. Restricted donations are those donations that the donor specifically designates for a particular purpose, use, or location. Unrestricted donations

shall mean those donations that are donated to the City for unspecified purpose, use, or location.

D. At the next regularly scheduled City Council Meeting, the staff shall provide its recommendation to the City Council for consideration, including how the donation complies with Section 2B, the means of donation, and the determined value.

E. The City Council may upon its own motion accept, decline, defer or remand for further clarification any donation presented.

Section 2. Types of Donations.

Donations may be received in the form of cash, real or personal property:

A. Donations of Cash: To protect the donor, the City (its elected officials, employees, volunteers or representatives), and the interests of the public:

All cash gifts over \$500 shall be referred to the City Council, as outlined in Section 1 of this Ordinance. The donation will be marked as restricted or unrestricted by the donor. Staff will provide its recommendation to City Council.

B. Donations of Real or Personal Property:

All donations of real, or personal property, shall be referred to the City Council, as outlined in Section 1 of this Ordinance. The donation will be marked as restricted or unrestricted by the donor. Staff will provide its recommendation to City Council.

i. Donations under \$500 may be accepted by a supervisor and approved by the Mayor or City Administrator. Any donation under this section is to be brought before the City Council at their next regularly scheduled City Council Meeting, under the City Administrator's Report to Council section of the City Council Agenda.

ii. Benches. Benches may be donated (as outlined in section one) and installed in different areas of the City. Prior to the installation, the Director of Planning, Engineering, and Building Services and/or Director of Operations and Maintenance, or successors, as applicable,

shall approve the type, style, design, and location of all donated benches on City property or public right-of-way.

iii. Park, Public Improvement, and Street Amenities

Public improvements or other amenities such as drinking fountains, tables, and other equipment that will improve public places in City parks, public buildings, streets, walkways, and trails may be donated to the City, as outlined in section one.

Section 3. Naming Rights. Donors may receive certain naming rights on capital improvement projects for which any donation matches or exceeds seventy-five percent (75%) of the total budgeted cost for the designated area benefiting from the donation. All such donations shall be submitted to the City Council for review and acceptance, including the proposed name to be applied to the project(s).

Section 4. Sponsorships. Special events and programs are recognized as fund-raising activities. Where donations or sponsorships of a special event or program will require special recognition to provide recreational opportunities, corporate or organized sponsors may be recognized by use the company name and/or logos on certain event banners and signage. Signs and literature at all special events and programs shall be at the discretion of the director of the appropriate City department. The size, scale and location of corporate logos and names should not dominate the facilities or area. Company logos or names shall not be displayed in such a manner that would, in any way, suggest the endorsement of the City employees, or representatives of the City.

Section 5. Special Privileges. Making a donation or co-sponsoring a special event or program shall not allow, permit, enable, impose, oblige, or entitle a sponsor or donor to any special privileges other than those stated in this ordinance. Special privileges may include City recognition, allowing certain displays at special events, or receipt of plaques.

Section 6. Donation/Sponsorship Guide. Operation and Maintenance shall periodically make available a Donation/Sponsorship Guide containing prices and ideas for public sponsorships and/or donations.

Section 7. Acknowledgements

- A. Letter to donor accepting donation;
- B. Where applicable, recognition of donations may be made at City Council meetings;

- C. Donors may request a plaque be installed to recognize the donation, provided the plaque does not interfere with the operation and maintenance activities of the City and/or is not in conflict with City Code, regulations, or laws;
- D. All plaques expenses shall be borne by the donor. The City shall assume ownership and maintenance of the donated item and plaque, but the City shall not assume plaque replacement costs, including any damage due to vandalism or theft. All plaques shall remain as a donated item during its useful life. The City reserves the right to remove and/or relocate the donated item at all times; and
- E. All plaque information will be entered on the Donation/Sponsorship Guide order form and ordered by the City. The donor shall be required to compensate the City for all plaque related expenses prior to being ordered.

Section 8. Transparency

- A. Sections 3-7, shall be authorized/approved by the City Council.

Section 9. Severability. If any section, sentence clause or phrase of this Ordinance and attachments hereto shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 10. Administration and Enforcement

A. Administration. The Mayor, and City Administrator, acting jointly with the City Council shall be responsible for the administration of this Ordinance.

B. Enforcement. Donations that do not conform to the standards contained in this Ordinance shall be subject to denial until donation proposal is brought into conformance therewith.

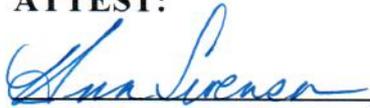
Section 10. Effective Date. This Ordinance shall be in full force and effect five (5) days after publication of this Ordinance or a summary thereof in the official newspaper of the City as provided by law.

PASSED by the City Council this 19th day of November, 2019.



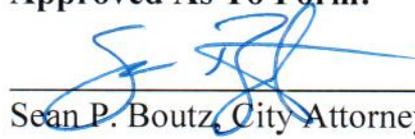
Mayor Steve Peterson

ATTEST:



Ann Swenson, City Clerk

Approved As To Form:



Sean P. Boutz, City Attorney

Date of Publication: 11.29.19

Effective Date: 12.4.19