

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

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON,
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 certain gifts or donations for its parks, facilities, and recreation programs.

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 his/her designee will review the acceptability of any donation and determine if the benefits to the City are appropriate and acceptable under all City rules and regulations, and applicable federal and state law.
- B. Evaluation criteria may 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. The City shall maintain the final authority to accept, or deny any gift or donation.

Section 2. Types of Donations. Donations may be received in the form of cash, real, or personal property. 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.

A. Cash Gifts

- 1. Cash gifts or donation of cash less than \$10,000 may be reviewed and accepted by the Mayor, or his/her designee.
- 2. Cash gifts or donations of \$10,000 and above may be reviewed and accepted by the City Council.

3. Cash gifts or donations shall be designated as restricted or unrestricted donations.
4. Unless specifically designated as a restricted donation, cash gifts reviewed and accepted by the City shall impose no obligation to use the donated funds for the specified purpose, use, or location.

B. Trees

1. Tree donations add beauty to City parks and facilities. Trees may be donated and installed at City parks and other locations in the City at the recommendation of the Mayor, or his/her designee.
2. The minimum size of tree donations must be at least 2 inch caliper or 6 feet tall (evergreens) unless specifically waived in writing by the Mayor, or his/her designee.
3. Tree donations shall be limited to specific species established in the City Development Code or otherwise approved by the Mayor, or his/her designee.

C. Benches.

Benches may be donated and installed in different areas of the City. Prior to the installation, the Mayor, or his/her designee shall approve the type, style, design, and location of all donated benches on City property or public right-of-way.

D. 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.

1. Donation of public improvements or amenities valued at less than \$10,000 may be reviewed and accepted by the Mayor, or his/her designee.
2. Donation of public improvements or amenities valued at \$10,000 or more shall be reviewed and accepted by the City Council

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. Right to Deny. The City of Liberty Lake reserves the right to deny any donation if, upon review, acceptance of the donation is determined to be not in the best interest of the City. The City shall maintain the final authorization to accept or deny any donation.

Section 6. 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, unless otherwise agreed upon and approved by the Mayor, or his/her designee or the City Council, where appropriate.

Section 7. Donation/Sponsorship Guide. The Recreation Department shall periodically make available a Donation/Sponsorship Guide containing prices and ideas for public sponsorships and/or donations.

Section 8. Acknowledgements

- A. Letter to donor accepting donation;
- B. Where applicable, recognition of donations may be made at City Council meetings; and
- C. Plaques may be reserved for donations subject to the following criteria and approval of the City:
 - 1. Donors providing donations valued at \$1,000 to less than \$3,999 may elect to provide a dedicatory plaque not exceeding 2" x 6" with a name designated by the donor preceded by one of the following: "Donated by", "Donated for", or "In recognition of";
 - 2. Donors providing donations valued at \$4,000 or greater may elect to provide a dedicatory plaque not exceeding 5" x 7" with name, date and dedication wording. All plaque content must be approved by the Mayor, or his/her designee;
 - 3. 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;
 - 4. 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 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 the ordinance.

Section 10. Administration and Enforcement

A. Administration. The Mayor, or his/her designee shall be responsible for the administration of this ordinance. Donations shall be reviewed prior to acceptance to ensure the donation conforms to the standards established in 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 February, 2008.

Wendy Van Orman
Mayor, Wendy Van Orman

ATTEST:

Cynthia Smith
City Clerk, Cynthia Smith

Approved As To Form:

Sean Boutz
City Attorney, Sean Boutz

Date of Publication: 2/28/08

Effective Date: 3/4/08

CERTIFICATION

I, the undersigned City Clerk of the City of Liberty Lake, of Spokane County, Washington, HEREBY CERTIFY that the foregoing Ordinance is a full, true and correct copy of Ordinance No. 168 duly adopted at a regular meeting of the City Council of said City, duly and regularly held at the regular meeting placed thereof on February 19, 2008 of which meeting all members of said City Council had due notice and at which a majority thereof were present; and that at said meeting said Ordinance was adopted by the following vote:

AYES, and in favor thereof, Council Members: (7) Unanimous

NAYS, Council Members: None

ABSENT, Council Members: None

ASTAINED, Council Members: None

CITY OF LIBERTY LAKE

Cynthia Smell

CITY CLERK