CITY OF SEQUIM

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DONATIONS POLICY AND PROCEDURES
SMC CHAPTER 3.74

PURPOSE: The City of Sequim is authorized to accept donations of money, real estate, artwork, park benches, and other types of property for the benefit of the public. This policy is intended to establish efficient and lawful procedures for implementing Sequim Municipal Code (SMC) Chapter 3.74, Donations.

POLICY: This document sets forth the procedures for implementing SMC Chapter 3.74 in accordance with RCW 35.21.100.

PROCEDURES:

Accepting or Rejecting a Donation

A. Monetary Donations. The City Manager or designee is authorized to accept monetary donations to the City up to the City Manager threshold, and to carry out the terms of the donation if the purposes and conditions of the donation are within the powers granted by law to the City. If no terms or conditions are attached to the donation, the City may expend or use the donation for any municipal purpose. Monetary donations in an amount above the City Manager threshold must be reviewed and approved by the City Council.

B. Nonmonetary Donations. The City Manager or designee is authorized to make at least the initial determination of the appropriateness, usefulness, and value to the City of all nonmonetary donations up to the City Manager's financial signing threshold. For nonmonetary donations above that threshold, and for all real property donations, the City Manager will make recommendations to Council regarding the donation and the Council makes the final decision.

C. Rejection of Donation. The City Manager or designee may reject a donation if such donation is not consistent with the City's policies, plans, or goals; the City Manager must reject a donation if acceptance of the donation would be contrary to law or inconsistent

with the Sequim Municipal Code. Any decision to reject a donation of real property must be reviewed and approved by the City Council.

D. Donation proposals with a Value Assessment over $5,000 must be made in writing by the prospective donor using the City's Donation Proposal Form. Accepted donations may at the City's discretion be further memorialized using a City Attorney-approved Donation Agreement form. Any Agreement must be fully and properly executed, including with notarized acknowledgments when necessary, and filed or recorded in the appropriate manner. Transactions involving real estate must be recorded with the Clallam County Auditor.

E. Donations that impact a capital project, city infrastructure, or which consist of public art, must be reviewed and approved in advance by the Director of the Department responsible for the impacted location, or for determining any design or engineering standards that must be met.

Statutory References

RCW 35.21.100	Donations – Authority to accept and use.

Reviewed: Council Meeting March 13, 2023	Effective Date: March 26, 2023	Approved by: Matthew Huish, City Manager, as authorized by the City Council via Ordinance 2023-002