



# City Council Agenda Bill

# 20127

Bill Number

**Subject:** Ordinance to modify the Bellingham Municipal Code establishing the authority and use of accepting donations.

**Summary Statement:** The City of Bellingham periodically receives donations or gifts from the public for various purposes. Recently, a donation was made to the city that included specific instructions for the use of the funds. This prompted staff to research the legal restrictions and obligations that may be placed on donations and the implication of these on the city by accepting the donation.

The purpose of this ordinance is to formerly establish procedures for accepting donations of money or property made to the city.

**Previous Council Action:** N/A

**Fiscal Impact:** None

**Funding Source:**

**Attachments:** Ordinance

Meeting Activity	Meeting Date	Staff Recommendation	Presented By	Time
Committee Briefing Council Vote Requested	30-Sep-2013	Vote to Approve	Brian Henshaw	5 min.
Third and Final Ordinance	14-Oct-2013	Pass Ordinance		

**Council Committee:**

Finance and Personnel  
Michael Lilliquist, Chair  
Gene Knutson; Stan Snapp

**Committee Actions:**

SS/GK moved to recommend approval.  
ML/GK moved to recommend changing the word "policy" to "authority" in section 4.90.010. The motion carried 3-0  
The motion to recommend approval as amended carried 3-0

**Council Action:**

9/30/13 LILLIQUIST / KNUTSON moved approval for first and second reading as amended in committee. MOTION CARRIED 6-0. LEHMAN excused.

**Agenda Bill Contact:**

Brian Henshaw

Reviewed By	Initials	Date
Finance, Brian Henshaw	BA	9/16/13
Legal Mayor	NRS KL	9/17/13 9.23.13

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF BELLINGHAM, WASHINGTON  
AUTHORIZING ACCEPTANCE OF DONATIONS OF MONEY AND PROPERTY**

**WHEREAS**, the City of Bellingham is periodically presented with donations of money and property; and

**WHEREAS**, pursuant to RCW 35.21.100, City Council desires to authorize the acceptance of donations of money and property as provided herein.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BELLINGHAM  
DOES HEREBY ORDAIN THAT:**

The following Chapter shall be added to the Bellingham Municipal Code:

**CHAPTER 4.90  
DONATIONS - AUTHORITY TO ACCEPT AND USE**

**4.90.010 Purpose.**

The purpose of this Chapter is to establish the authority and procedure by which the City of Bellingham may accept money or property donated, devised or bequeathed to it.

**4.90.020 Real Property.**

The authority to accept real property donated, devised or bequeathed to the City of Bellingham is reserved to City Council. Acceptance of real property shall be by ordinance.

**4.90.030 Money and Personal Property.**

a. Money or personal property donated, devised or bequeathed to the City of Bellingham may be accepted by the Mayor or director of the department to which the donation is directed; provided, it is within the powers granted to the City of Bellingham by law to carry out the terms and conditions, if any, of the donation, devise or bequest. If no terms or conditions are attached to the donation, devise or bequest, the City of Bellingham may expend or use it for any municipal purpose.

b. Directors shall consult with the finance director and city attorney prior to accepting donations of money or property with a value in excess of \$10,000.

**PASSED** by the Council this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Council President

**APPROVED** by me this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
Finance Director

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Office of the City Attorney

Published:  
  
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