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WHEREAS, the Albany City Council adopted Resolution No. 2019-87 on October 21, 2019, updating the Donation Acceptance Policy; and

WHEREAS, this Policy should be updated periodically to provide guidelines for accepting donations and gifts to the City in a responsible, transparent and accountable manner that is consistent with the City’s practices and Strategic Plan goals; and

WHEREAS, the current proposed update to the Policy is to provide additional clarity with regard to the procedures and process for a donation and to align the City Manager's authority for the acceptance or rejection of a gift or a donation with the City's Purchasing Policy as stated in the Municipal Code.

Date: March 16, 2026

PEGGY McQUAID, MAYOR

Exhibit A – Donation Acceptance Policy



CITY OF ALBANY

DONATION ACCEPTANCE POLICY

Adopted by Resolution No. 2026-11
March 16, 2026

1000 San Pablo Avenue, Albany, CA 94706
510.528.5710
cityhall@albanyca.gov
www.albanyca.gov

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SECTION 1: PURPOSE

The purpose of this Donation Acceptance Policy (“Donation Policy” or “Policy”) is to establish a formal process for acceptance and documentation of donations made to the City of Albany (“City”). This Policy provides guidance when individuals, community groups, and businesses wish to make donations to the City.

SECTION 2: TYPES OF DONATIONS

Donations may be offered in the form of cash, real or personal property, or services. “Designated donations” mean those donations that the donor specifies or reserves for a particular City department, location, or purpose. An “undesignated donation” means those donations that are given to the City for an unspecified and unrestricted use.

SECTION 3: CONSISTENCY WITH CITY GOALS & OBJECTIVES

The City welcomes unrestricted donations as well as restricted or designated donations that enhance City services, reduce costs that the City would incur in the absence of the donation or that otherwise provide a benefit to the City, in compliance with the procedures outlined under this Policy.

Designated donations may only be accepted when they have a purpose consistent with the City’s goals and objectives and are in the best interest of the City. The City must always consider the public trust and comply with all applicable laws when accepting donations. The City may decline any donation without comment or cause.

SECTION 4: GENERAL PROVISIONS - ACCEPTANCE OF DONATIONS

Requirements for City acceptance of donations:

1. Donations must be directly related to providing, or funding the provision of, goods or services to the public or for another valid public purpose. Donations shall not be used for any personal financial gain of any City elected or appointed official or any City employee.
2. The City may decline any donation without comment or cause in the City’s sole discretion.
3. The City’s acceptance of the donation shall not be in conflict with any provision of the law.
4. Designated donations must have a purpose consistent with City goals and objectives.
5. Donors shall not expect, nor shall the City grant, any consideration to the donor upon City accepting the donation, including but not limited to the City’s solicitation, procurement process or contract selection and awards, any and all City decision-making, regulatory matters, or any other business, services, or operations of the City.
6. Any non-cash donation shall be aesthetically acceptable to the City.
7. The net benefit of a donation shall be considered when determining whether City is to accept a specific donation. “Net benefit” is all lifecycle costs in connection with the ownership of the donation, including but not limited to maintenance, repair, clean-up,

acquiring and holding title to the property, administrative costs, and any potential liability or additional expenses that may be associated with the City accepting the donation. Additionally, the City shall consider if:

- a. The donation will not add to the City's workload unless it provides a net benefit to the City.
 - b. The donation will not incur additional costs the City would be unwilling to fund when the donation is exhausted.
 - c. The donation may not be used to implement new on-going programs or services unless a permanent source of revenue is identified and independently available to support the program or service.
 - d. If the donation requires additional items, expenses, or labor to be provided by the City, the dollar value of those additional costs shall be specified in the request to consider accepting the donation, and it shall provide a net benefit to the City or the dollar value of those additional items in total donation and collected from the donor prior to any work being done or purchases made.
 - e. Potential costs and liabilities should be considered if a donation of personal property or of a service does not include the same indemnification, insurance, bonding, or warranties that the City would normally receive through the City's general procurement process.
 - f. Real property may be donated to the City, provided that it will not expose the City to an unreasonable risk of litigation or liability, including but not limited to the physical condition of the property, any environmental hazards, title or marketability issues, or existence of claims, liens, or encumbrances against the property.
8. The donation places no restrictions on the City regarding its use, unless accepted and approved by the City Council as a donation that is designated and restricted for a specific purpose.

SECTION 5: PROCEDURES - ACCEPTANCE OF DONATIONS

All donation requests to the City (whether personal or real property or services) shall be submitted to the City for consideration based on the value and associated costs of the donation offered, including if the donation requires additional items, expenses or labor to be provided by City per Section 4 above, and in compliance with the guidelines outlined below. All donation requests must be submitted in writing and complete all applicable sections in the **"Standard Donation Acceptance Agreement"** (provided as **Exhibit A**), attached hereto.

1. Donations valued at an amount within the City Manager's purchasing authority may be accepted by the City Manager.
2. Donations valued in an amount exceeding the City Manager's purchasing authority shall be brought to the City Council for approval and acceptance. The City Council may accept or decline any donation at its sole discretion.
3. Upon acceptance and receipt of a donation and upon request from the donor, the City will provide the donor with a receipt specifying the amount of cash donated, if a cash donation, or describing the specific property or services received within thirty (30) days of City accepting and approving the donation. The donation receipt shall also include the date of the donation, the name of the donor, the purpose of the donation (if a designated donation), and note that the donor received no consideration in whatever form, or any

goods or services in exchange for the donation to the City. An exemplar receipt form is attached to this Donation Policy as **Exhibit B, “City of Albany Donation Receipt” (“Donation Receipt”)**.

SECTION 6: ACCEPTANCE OF MEMORIAL OR RECOGNITION REQUESTS & PROPOSED VOLUNTEER CAPITAL PROJECTS

The purpose of this section is to establish guidelines for a consistent decision-making process related to the acceptance, placement and long-term maintenance of memorial, recognition, or volunteer capital project donations to City-owned facilities, parks, public rights-of-way, medians, and open spaces. The City may limit memorials, recognitions, or volunteer capital projects in order to promote resource management and sustainability of natural landscapes. The integrity, natural and architectural features of parks, open spaces and facilities will be preserved and not detract from a user’s experience. Applications for memorials, recognitions, or volunteer capital projects shall be submitted to the City Manager for review. Final decisions on placement of memorials, recognitions, or volunteer capital projects will be made by City Council. Memorials, recognitions, or volunteer capital projects with a commercial appearance or corporate or commercial labeling or branding will not be accepted. All proposed donations will be evaluated by the City Manager or his/her designee according to the following criteria:

1. Submit a written plan to the City Manager. The plan must include the proposed project purpose, project description and scope of work, project location, sponsoring agency or entity, estimated cost, financial commitment, maintenance plan, primary contact person and contact information, and proposed project schedule. Preliminary project drawings and/or project specifications, as appropriate, shall also be provided to the City upon request.
2. The City Manager will direct the proposal to the appropriate City staff to determine potential impacts to the City, including but not limited to fiscal, liability, maintenance, sustainability or other.
3. The City Manager will determine the appropriate reviewing entity or entities, including City Departments and relevant advisory bodies to the City Council.
4. Project sponsor or requestor may be required to present the proposed project to the reviewing advisory bodies and/or the City Council for conceptual approval including location, design, cost, and/or other pertinent information. Potential impacts to the City shall also be included as part of the presentation.
 - a. Location: Locations will be reviewed for criteria including but not limited to: ADA requirements, number of similar projects already in the area, conflicts or negative impacts to neighboring property owners, safety or public health issues.
 - b. Design: The project should conform to the existing designs of the projects in the adjoining area. If the City has an existing or proposed plan for developing the area, the project shall conform to the existing or proposed plan. Projects shall not detract from or overpower the scenic or architectural values of the existing or surrounding environment.
 - c. Cost: The requestor shall pay for all costs, including but not limited to purchase, tax, freight, plaques and engraving costs, and all City installation costs. City installation costs may include but is not limited to the need for a concrete pad, sidewalk repair, or

other improvements which are required for the installation of the project. Please see the Standard Donation Acceptance Agreement for additional information on costs, installation, maintenance, removal, and other requestor responsibilities.

5. Once the project has been reviewed either by the City Manager or the appropriate advisory bodies and accepted for recommendation for City Council approval, it will be brought to the City Council for final project approval.
6. Project acceptance as “public gifts” shall be contingent on City Council approval and exemption conditions per Albany Municipal Code Section 2-27.8.
7. Any naming of volunteer capital projects shall follow the guidelines set forth in the City’s policy pertaining to naming City-owned land and facilities (City Council Resolution No. 2012-04, provided as Exhibit C).
8. Large scale project donations may be considered on a case-by-case basis as they relate to community, parks, and open space planning and other City approval processes.

SECTION 7: ACKNOWLEDGEMENT OF DONATIONS

1. A Donation Receipt for tax reporting purposes will be furnished by City’s Finance Department upon request from the donor.
2. All documentation submitted by the requestor/donor and/or provided to the requestor/donor including but not limited to the requestor/donor names, and donation amount are public information maintained by the City Clerk Office and Finance Department and are subject to disclosure pursuant to the California Public Records Act.

SECTION 8: DECLINED DONATIONS

The City reserves the right to decline any donation if, upon review and determination in the sole discretion of the City, acceptance of the donation offer is not in the best interests of the City, or is in violation of any of the requirements in this Policy.

SECTION 9: DISTRIBUTION OF DONATIONS

The City’s Finance Department shall be responsible for administering the distribution of all donations (tangible items, designated and undesignated donations) to the City.

City of Albany

Standard Donation Acceptance Agreement

This STANDARD DONATION ACCEPTANCE AGREEMENT ("Agreement") is entered into and effective this _____, 20__, by and between the CITY OF ALBANY, a California charter city and municipal corporation ("CITY"), and _____, an [INDIVIDUAL OR ENTITY] ("Donor"). The undersigned Donor wishes to make a donation to the City as described below:

Donation is: ☐ Non-Monetary ☐ Monetary in the amount of \$ _____

Check Payable to: **CITY OF ALBANY**

Description of Donation (Attach additional sheets if needed):

This Donation is a (check the applicable box below and complete)

☐ General donation ("undesignated donation")

☐ Donation designated for the purpose(s) of ("designated donation"):

☐ This donation is consistent with the City's goals & objectives and complies with the general provisions and procedures of the City's Donation Acceptance Policy.

In connection with administering this agreement, Donor and the Recipient (City) shall work through the following primary representatives:

Recipient/Donor Name(s)	City of Albany	
Primary Representative:		
Address:	1000 San Pablo Avenue Albany, CA 94706	
Telephone Number:		
Email Address:		

* All documentation submitted is subject to disclosure per California Public Records Act.

In addition to the foregoing, Donor and the City understand and agree that:

1. Upon acceptance and receipt of the donation and upon request from the donor, the City will provide the donor a receipt indicating the amount of cash donated, if a cash donation, or describing the specific type of property or services received within thirty (30) days of City accepting and approving the donation. All documentation submitted to the City is subject to disclosure per the California Public Records Act.
2. For undesignated donations, the City may use the donation in any manner at its sole discretion. The Donor has no right or obligation to control the City's use of the donation.
3. Donor has not and will not receive any goods or services in exchange for the donation and the City will not grant any consideration in whatever form to the Donor in relation to City procurement, regulatory matters, or any other business, services, or operations of the City.
4. If the donation is made for memorial, recognition, or volunteer capital projects in City-owned facilities, parks, public rights-of-way, medians, and open spaces, Donor confirms that Section 6 of the Donation Acceptance Policy has been read and Donor shall conform to the criteria listed in said Section 6. Donor shall pay for all costs, including but not limited to purchase, tax, freight, plaques and engraving costs, and all City installation costs. Approval from the City must be received before any order and installation of the memorial/recognition/volunteer capital project may proceed. The City will install the item. Once installed, the memorial/recognition/volunteer capital project or improvements made becomes the sole property of the City. The City does not offer any guarantee or obligation, legal or otherwise, to maintain or replace signs, plaques, materials, equipment, structures, or other donated resources that are vandalized, lost, stolen or otherwise damaged or destroyed. The City does not guarantee permanency of any donation.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

Donor(s):

City of Albany

Signature

Nicole Almaguer, City Manager

Print Name

Date: _____

Organization (if applicable)

ATTEST:

Signature

Anne Hsu, City Clerk

Date: _____

Print Name

Organization (if applicable)

Date: _____



City of Albany Donation Receipt

This is to confirm that on _____ *[insert date]*, the City of Albany received from:

Donor Name(s)/Organization:

Donor Address: (optional) _____

the donation(s) listed below:

☐ Monetary contribution of \$ _____

☐ Non-monetary contribution consisting of the following [describe property, services, etc.]:

The City of Albany cannot guarantee or be obligated to repair, maintain, use, or the replacement and/or the permanency of donated items.

The City of Albany sincerely appreciates your donation.

Reina Schwartz, Finance Director
City of Albany

Per Section 170(c)(1) of the Internal Revenue Code, charitable contributions made to the City exclusively for public purposes are tax deductible.

City of Albany Federal Tax ID No. 94-6000289

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RESOLUTION NO. 2012-04
RESOLUTION OF THE CITY OF ALBANY CITY COUNCIL
ESTABLISHING A FACILITY NAMING POLICY

PURPOSE:

To provide guidance and procedures for the naming of new or existing City parks, facilities, and facility components in recognition or memorial of individuals, families, or organizations. All naming in recognition of an honoree must be consistent with the City's role as a public trust.

DEFINITIONS:

1. **Parks**: are owned and managed by the City, used for public recreation purposes and include developed and undeveloped park areas and designated open space areas.
2. **Facilities**: are City owned facilities used to conduct City business. Buildings may include but are not limited to City Hall, Fire and Police Stations, Maintenance Center, Senior Center, Child Care and Teen Centers, Recreation Center, and Community Center.
3. **Components**: are specific parts of City facilities or parks, and include but are not limited to playgrounds, rooms within buildings, and ballfields.

POLICY:

- I. Criteria for naming a facility, park, or component after an individual, family, or charitable organization should include at least one of the following considerations:

- 1 1. The person or persons being recognized or memorialized has made
2 exceptional contributions and provided distinguished service to the Albany
3 Community.
- 4 2. A person being recognized for their service as an elected official,
5 appointed official, or City employee, shall be retired or otherwise
6 separated from City office or employment for at least two years.
- 7 3. If deceased, the person or persons being memorialized has been deceased
8 for at least one year.
- 9 4. The person or persons being memorialized died in the line of duty serving
10 the City of Albany or the United States of America, or while committing a
11 heroic act.
- 12 5. The person, persons, or charitable organization being recognized or
13 memorialized has made a significant financial donation to the City, which
14 enabled the acquisition or improvement of a City facility or program.

15
16 **II. Naming involving a gift:**

- 17
18 1. When the naming involves a financial contribution towards a specific
19 project, the gift shall constitute a significant portion of the total cost of the
20 project to be named.
- 21 2. The eminence, reputation, integrity, and affiliation of the individual or
22 entity whose name is proposed should be considered.
- 23 3. Corporate names may be used to designate components of facilities, such
24 as rooms or playgrounds, but not to designate entire facilities or parks.
25 The use of a corporate name requires additional due diligence so as to
26 avoid any appearance of commercial influence or conflict of interest.
- 27 4. A naming conferred in recognition of a pledge is contingent on fulfillment
28 of that pledge and will be approved on that condition.
29

1 **III. Renaming:**

- 2
- 3 1. When a facility is named in recognition of an individual or entity, the
- 4 name will be effective for the useful life of that facility.
- 5 2. When a facility has reached the end of its useful life and will be replaced
- 6 or substantially renovated, the new facility may be renamed in recognition
- 7 of another donor.
- 8 3. When a corporate entity no longer exists as a result of merger, acquisition,
- 9 or bankruptcy, the name of the facility may be eliminated.
- 10 4. The city reserves the right to change the function of the named facility.
- 11 When the function of a facility substantially changes, the City shall make
- 12 a good faith effort to contact the family of the individual named or the
- 13 parent entity in advance of City Council action.
- 14

15 **IV. Changing of Street Names:**

- 16
- 17 1. Names of streets with existing homes or businesses should not be renamed
- 18 if at all possible.
- 19

20 **V. Nomination and Naming Process:**

- 21
- 22 1. Nominations for facilities may be submitted to the City Manager at any
- 23 time. Submissions should be in written form, with an explanation for the
- 24 nomination.
- 25 2. City Council shall by resolution approve the naming of any city facility
- 26 3. Processing of the request, depending on the facility, may take up to 180
- 27 days.
- 28 4. If a facility is to be renamed, the City shall make a good faith effort to
- 29 contact the family of the individual named or the parent entity in advance
- 30 of City Council action.
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1 **VI. Amendments and Exceptions:**

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- 3 1. Guidelines may be amended by the City Council to accommodate
4 changing circumstances or extraordinary events.

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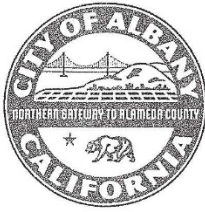
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Farid Javandel, Mayor



City of Albany

1000 San Pablo Avenue • Albany, California 94706
(510) 528-5710 • www.albanyca.org

RESOLUTION NO. 2012-4

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,
this 17th day of January, 2012, by the following votes:

AYES: Council Members Atkinson, Lieber, Thomsen, Wile and Mayor Javandel

NOES:

ABSENT:

ABSTAINED:

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 18th
Day of January, 2012.

Eileen Harrington
DEPUTY CITY CLERK

The City of Albany is dedicated to maintaining its small town ambience, responding to the needs of a diverse community, and providing a safe, healthy and sustainable environment.



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City of Albany

1000 San Pablo Avenue • Albany, California 94706
(510) 528-5710 • www.albanyca.org

RESOLUTION NO. 2026-11

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

The 16th day of March, 2026, by the following votes:

AYES: Council Members Hansen-Romero, Jordan, López, Miki and

Mayor McQuaid

NOES: none

ABSENT: none

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY,

This 17th day of March, 2026.

Anne Hsu
CITY CLERK



City of Albany

1000 San Pablo Avenue • Albany, California 94706
(510) 528-5710 • www.albanyca.org

RESOLUTION NO. 2026-11

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

The 16th day of March, 2026, by the following votes:

AYES: Council Members Hansen-Romero, Jordan, Miki and Mayor McQuaid

NOES: none

ABSENT: Council Member López

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY,

This 17th day of March, 2026.

Anne Hsu
CITY CLERK