

Gift Policy

Honolulu City

Honolulu City Council Policy Resolutions (Link to original Word Processing Version) 86-298 SUPERCEDING RESOLUTION 79-39 AND ESTABLISHING GUIDELINES FOR THE SOLICITATION AND RECEIPT OF [GIFTS](#) BY EXECUTIVE AGENCIES.

WHEREAS, the City and County of Honolulu is the recipient of many [gifts](#) as a result of the generosity of its citizens; and

WHEREAS, although [gifts](#) to the City may be generous and well-intentioned, appropriate guidelines for the solicitation and receipt of [gifts](#) are necessary to ensure that the solicitation and offering of [gifts](#) are conducted ethically and independently of the decision making powers and processes of the City, and that [gifts](#) are properly received without imposing an onerous burden to the City; and

WHEREAS, Section 13-113 of the Revised Charter of the City and County of Honolulu provides the City Council with sole authority to accept [gifts](#) on behalf of the City; and

WHEREAS, Chapter 5, Article 7 of the Revised Ordinances of Honolulu provides for a General Trust Fund into which all monetary [gifts](#) or donations shall be deposited; and

WHEREAS, Resolution 79-39 provides certain guidelines regarding the receipt of [gifts](#) which need to be expanded and refined; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that Resolution 79-39 is hereby superceded and that executive agencies shall henceforth be governed by the following provisions in receiving any [gift](#) :

1. Definitions

"[Gift](#)" means any voluntary contribution of money, securities, tangible property, or real estate to the City for a public purpose, whether earmarked or not. All [gifts](#) provided for a specific City-sponsored activity or program or obtained as part of the same solicitation shall be considered as a single [gift](#) .

"Report" means a written record of a [gift](#) that includes the name and address of the prospective donor, the [gift's](#) description, its intended purpose, its estimated or actual value, and any requirement for its acceptance, maintenance, or eventual disposition by the City.

"Value" means the actual or assessed monetary value of a [gift](#) . If the value of a [gift](#) is not known, a reasonable estimate of its value shall be made by the executive agency when possible. In all instances, the [gift](#) shall be categorized as either valued in excess of \$1,000 or as valued at or below that amount; further a description of the [gift](#) shall be recorded in sufficient detail as to enable its relative value to be assessed.

2. Common provisions

a. Solicitation. Any solicitation by an executive agency for << gifts >> valued in excess of \$1,000 to the City shall have first received approval by the Council. Upon approval, such solicitation shall be accomplished by submitting public notice to a newspaper of general circulation.

No City employee having enforcement powers or review authority over any application or permit shall solicit << gifts >> to the City.

The Managing Director shall establish standards of conduct for City employees and officers in dealing with any person or entity that has provided or intends to provide a << gift >> to the City. The standards of conduct shall include provisions to ensure that the receipt of any << gift >> on behalf of the City shall not give the appearance of influencing or impairing the judgment of any City employee or officer in the performance of his or her official duties.

b. Unacceptable << gifts >> . No << gift >> shall be accepted in exchange for special treatment or consideration by the receiving agency or department.

No << gift >> shall be accepted that imposes an onerous requirement for its acceptance, maintenance, or eventual disposition by the City.

c. Application. These provisions shall apply except where more restrictive ordinances, rules, or administrative policies are in effect. Monetary << gifts >> shall be deposited into the General Trust Fund and administered in accordance with Chapter 5, Article 7 of the Revised Ordinances of Honolulu.

d. Implementation. The Managing Director shall develop forms and issue such other guidelines as deemed necessary to implement the purposes of this Resolution.

3. << Gifts >> valued in excess of \$1,000

a. Upon notification of an intended << gift >> valued in excess of \$1,000 and making a determination to recommend acceptance of the intended << gift >> , the executive agency shall submit a report to the Council for its approval. The executive agency shall concurrently notify the donor in writing that the agency may take custody of the << gift >> only upon Council approval.

b. Upon acceptance of the << gift >> by the Council, the executive agency shall take custody of the << gift >> and ensure that it is properly maintained, secured, and protected.

c. No << gift >> valued in excess of \$1,000 shall be agreed to, taken into custody, expended, installed, or utilized until it has received Council approval.

4. << Gifts >> valued at \$1,000 or less

- a. The executive agency may take custody of a << gift >> valued at \$1,000 or less. Upon taking custody, the executive agency shall be responsible for the implementation of the << gift >> and ensure that it is properly maintained, secured, and protected.
- b. The executive agency shall notify the donor that the acceptance of the << gift >> is conditional until formal acceptance by the Council.
- c. The executive agency shall submit to the Council, through the Managing Director's office, a quarterly report, which shall be filed on or before the second Tuesday after the close of each quarter, of all << gifts >> taken into custody by such agency so that the Council may formally accept the << gifts >> on behalf of the City.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted to the Mayor and the Managing Director.

INTRODUCED BY:

Councilmembers

DATE OF INTRODUCTION:

September 17, 1986

Honolulu, Hawaii

ADOPTED this 17th day of September , 1986.

Policy Resolutions