

**CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY**



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Bill Type and Number: Ordinance 2024-46

Introducer/Sponsor(s): Council Members Salem, Gay, Howland, Miller and White

Date of Introduction: January 9, 2024

Committee(s) of Reference: R, F

Date of Analysis: January 11, 2024

Type of Action: Ordinance Code amendment

Bill Summary: The bill amends various sections in Ordinance Code Chapter 106 – Budget and Accounting Code – and Chapter 113 – Gifts to the City – to limit the use of monetary or non-monetary in-kind gifts or donations to the City for capital improvement projects or other purposes without City Council appropriation. Sec. 106.441 is amended to provide that the Mayor and the City Council are authorized to accept monetary or non-monetary (in-kind services) gifts, bequests and donations to the City. The amendment provides that no gift, donation, in-kind service or other donation, regardless of the amount, may be used to “alter, demolish, relocate, transform or in any way modify any City-owned or managed property, object, thing or anything else of substance without prior Council approval and appropriation.”

Chapter 113 is amended to add reference to procedures for the receipt of donations of in-kind goods or services for which the fair market value of the donation exceeds or is less than \$500,000, both of which contain a requirement that all in-kind donations shall be accepted only through resolution or (in certain cases where necessary due to conditional terms) ordinance approved by the Council.

Background Information: The amendments are being proposed in response to the recent removal of the Memorial to the Women of the Southland statues from Springfield Park with the Mayor’s authorization by private contractors funded by third-party donations not made directly to the City. The General Counsel advised the Mayor that such an action was not prohibited under the current wording of the Ordinance Code. These amendments are intended to codify the City Council's role in accepting and appropriating donations, including in-kind donations.

Policy Impact Area: Budgetary control

Fiscal Impact: Would require that future donations of in-kind services be accepted and appropriated by the Council

Analyst: Clements