

13.1

Mayor's Office: Council Agenda Item Request Form
This form and supporting documents (if applicable) are due the Wednesday before the COW meeting by noon.

Date Received (office use)	
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Date of Request	11/1/17
Requesting Staff Member	Kim Barnett
Requested Council Date	11/7/17
Topic/Discussion Title	Discussion and approval of changes to policy <i>1200 Contributions, In-Kind Assistance, and Fee Waivers</i>
Description	Policy <i>1200 Contributions, In-Kind Assistance, and Fee Waivers</i> is a commonly used policy at SLCo. This policy was last updated a decade ago and, as such, work has been done to update the policy and provide better clarity on the contribution, in-kind, and fee waiver process.
Requested Action¹	Discussion/Direction
Presenter(s)	Kim Barnett, Associate Deputy Mayor and Ralph Chamness, District Attorney's Office
Time Needed²	10 minutes
Time Sensitive³	
Specific Time(s)⁴	
Contact Name & Phone	Kim 8-7007
Please attach the supporting documentation you plan to provide for the packets to this form. While not ideal, if supporting documents are not yet ready, you can still submit them by 10 am the Friday morning prior to the COW agenda. Items without documentation may be taken off for consideration at that COW meeting.	Attached is the updated draft policy.

Mayor or Designee approval: Kim Barnett

¹ What you will ask the Council to do (e.g., discussion only, appropriate money, adopt policy/ordinance) – in specific terms.
² Assumed to be 10 minutes unless otherwise specified.
³ Urgency that the topic to scheduled on the requested date.
⁴ If important to schedule at a specific time, list a few preferred times.

SALT LAKE COUNTY
COUNTYWIDE POLICY
ON
CONTRIBUTIONS, IN-KIND ASSISTANCE,
AND FEE WAIVERS

Purpose –

The purpose of this policy is to provide guidelines to process requests from nonprofit entities for money, in-kind assistance, and fee waivers for the benefit of Salt Lake County citizens.

1.0 Policy

- 1.1 Salt Lake County shall provide money, in-kind assistance, or fee waivers to nonprofit entities if the Council finds that the requested assistance furthers the health, safety, and welfare of county citizens consistent with the County's policy priorities and objectives and subject to budget restraints.
- 1.2 Salt Lake County shall process requests from nonprofit entities in a fair and equitable manner for the benefit of Salt Lake County citizens.

2.0 Definitions

- 2.1 Fee Waiver - Any dismissal of required fees for the use of County facilities, property, buildings, equipment, or personnel services.
- 2.2 In-Kind Assistance – A contribution of resources in the form of services or property.
- 2.3 Nonprofit entity – Any benevolent, artistic, educational, philanthropic, humane, patriotic, social welfare, public health, environmental conservation, civic, or other similar organization that is entitled to tax exempt status under the laws of either the United States or the State of Utah.
- 2.4 Public Purpose - Salt Lake County government's authority or responsibility to promote the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of County inhabitants.

3.0 Procedures

- 3.1 A nonprofit entity may request money, in-kind assistance, or a fee waiver by submitting the appropriate application to the Salt Lake County Council or the Salt Lake County Mayor.
- 3.2 An applicant shall set forth the public purpose for which the assistance is requested. The Council may not approve any request for money, in-kind assistance, or a fee waiver if the assistance will result in commercial gain to an organization or to an individual.
- 3.3 The County Council and the County Mayor may set forth specific criteria for considering applications for money, in-kind assistance, or fee waivers.
- 3.4 The Council and Mayor may respond to applications under this policy within ninety days. If the Council or Mayor fails to respond to an application within ninety days, the application shall be deemed denied.
- 3.5 The Council and Mayor may set forth internal policies, procedures, and practices to process requests for assistance.
- 3.6 Requests for money, in-kind assistance, or fee waivers submitted to the Mayor's Office may be forwarded to the Council with the Mayor's recommendation.
- 3.7 All requests for money, in-kind assistance, or fee waivers must be approved by the County Council prior to disbursement. The Council may not approve a request without making a finding that the money, in-kind assistance, or fee waiver will contribute to a public purpose.
- 3.8 All organizations receiving contributions of more than \$2,500 will be required to submit a "Disbursement of Funds Report" within six months of receipt of the contribution outlining what was accomplished with the funds. The report is to be submitted to the Council and Mayor and any failure to submit the report on a timely basis will subject the organization to potential legal action for recovery of the contributed amounts.

4.0 Audit

- 4.1 The Council or Mayor may request that the Auditor perform a financial or performance audit on the use of any money, in-kind contribution, or fee waiver contributed under this policy. Any audits performed under this policy may occur within two years from the time the disbursement was made.
- 4.2 An applicant shall agree to submit to an audit as described herein as a part of the application. An application for assistance may not be processed or considered for

approval unless the applicant agrees to submit to an audit as provided on the applicable application form.

5.0 **Budget Appropriations and Disbursement**

5.1 Payment of money authorized under this policy shall be made by the Mayor's Office of Financial Administration upon receipt of budget documents establishing that the Council has approved the request in the adopted budget or in a budget adjustment.

5.2 Assistance requiring a contract may not be disbursed or provided until the contract has been approved as to form by the District Attorney's Office and entered into by Salt Lake County and the charitable organization.

APPROVED AND ADOPTED in Salt Lake City, Salt Lake County, Utah, this _____ day of _____, 2017.

SALT LAKE COUNTY COUNCIL

By: _____
Steve DeBry, Chair

ATTEST:

Sherrie Swensen
Salt Lake County Clerk
Date: _____

APPROVED AS TO FORM:



Rena Beckstead
Deputy District Attorney
Date: 11-1-17

