

**NORTHWEST ARCTIC BOROUGH ASSEMBLY
ORDINANCE 21-08**

**AN ORDINANCE OF THE
NORTHWEST ARCTIC BOROUGH
ASSEMBLY ADOPTING CHAPTER 6.32
OF THE BOROUGH CODE TO CODIFY
THE BOROUGH'S DONATION POLICY
FOR ORGANIZATIONAL REQUESTS.**

WHEREAS: Title 6 of the Northwest Arctic Borough Code establishes guidelines for the Borough's budgetary process and procurement; and

WHEREAS: in May 2019, under Resolution 19-21, the Borough approved a donation policy to establish a standardized approach for considering donation requests to help meet budget restrictions, fairly allocate funds, ensure accountability, and establish uniform procedures for approving donation requests; and

WHEREAS: under Resolution 19-21, the Assembly is authorized to make donations to organizations within the Borough; and

WHEREAS: to better serve organizations within the Borough, the Assembly wishes to codify the Borough's donation policy for organizational requests under a new chapter to Title 6; and

WHEREAS: the Assembly has determined that it is in the Borough's best interest to adopt Chapter 6.32 and codify the Borough's donation policy for organizations as detailed in this Ordinance.

**NOW THEREFORE BE IT ENACTED BY THE
NORTHWEST ARCTIC BOROUGH ASSEMBLY:**

Section 1: Chapter 6.32 of the Borough Code is added as follows:

6.32 Borough Organizational Donations

6.32.010 Organizational donation policy and objectives.

The Northwest Arctic Borough acknowledges that its financial contributions to organizations operating programs and services within Borough communities help support the quality and longevity of those

programs and services. The Borough adopts this policy to provide guidelines for contribution requests and disbursements to help alleviate the administrative burden created by processing these requests. Accordingly, this chapter establishes guidelines and procedures for all donations to organizations operating programs and services within the Borough.

6.32.020 Eligibility to Receive a Donation.

A. Organization. Organizations that apply for and receive donations from the Borough must be a nonprofit organization, a public charity, a tribal government, or other not-for-profit organization that supports a public institution, program, or facility, or provides direct benefits to Borough residents.

B. Use of Donation. All donations received by an organization must be used for a valid public purpose.

6.32.030 Source of Donations.

The Assembly may identify and authorize revenue to fund donations to organizations as part of its annual budget. The Assembly will establish an amount in its general operating expenditures for organizational donation requests. All such donations shall be drawn from the Assembly's annual operating budget. Individual contribution requests shall be drawn from the annual operating budget of the Mayor.

6.32.040 Organizational Requests for Donations.

An organization requesting a donation from the Assembly must follow the following procedure:

- A. Complete an organization Donation Request Form by providing the following qualification criteria:
 - 1. the amount of donation requested;
 - 2. the purpose for the donation (must be for a valid public purpose);
 - 3. a brief description of the program or service for which a donation is sought, the importance of the donation to the success of the program or service, and

how the program or service will provide a direct and material benefit to Borough residents;

4. the organization's annual operating budget;
 5. identification of other sources of donations or contributions received by the organization to demonstrate that the Assembly's donation does more than merely support the organization's annual operating budget; and
 6. evidence of the organization's qualifying status.
- B. Submit the completed Organization Donation Request Form to the Mayor's Office.
 - C. If necessary, work with the Mayor's Office to provide information necessary to complete the Request Form.
 - D. If requested, appear before the Assembly on a scheduled date and time to answer questions about the donation request.
 - E. If the Assembly grants the organization's donation request, following the expenditure of those funds, provide the Assembly with a report describing how the funds were used, and how its use benefitted Borough residents.

6.32.050 Awards and Contribution Limits

- A. Awards. The Assembly has sole discretion to make donations and to determine the amount of those donations. No amount is guaranteed.
- B. Organization Limits. Donations to an organization may not exceed the amount appropriated by the Assembly for budgeted donations. Donations up to \$25,000 in the aggregate per organization per fiscal year may be made by the Mayor; donations over that amount must be approved by the Assembly.

6.32.60 Consideration and Disbursement Procedure.

- A. The Mayor's Office will assume the following responsibilities when addressing an organization's contribution request:

1. Confirm that a contribution request meets the qualifying criteria.
 2. Contact the requesting organization if the application is deficient or missing information.
 3. Prepare and submit the application to members of the Assembly.
 4. Schedule a date and time for the requesting organization to appear before the Assembly to support the contribution request and notify the organization of the scheduled date and time for Assembly consideration.
 5. If the Assembly approves a donation request, direct the Borough Finance Director to disburse the contribution to the organization.
- B. The Assembly maintains absolute discretion in its approval or denial of donation requests. When considering an organization's donation request, the Assembly shall do the following:
1. Review, evaluate, and determine whether each donation request meets the qualifying criteria and the Assembly's donation budget limitations.
 2. Determine whether to award the donation by voting on a donation approval resolution.
 3. If some, but not all, of the qualifying criteria are met, use its discretion to award a donation, provided there are sufficient funds to support the donation.
 4. If a request is denied, provide the applicant with a written notification explaining the reasons supporting the denial.

Section 2: This Code Ordinance shall be effective immediately.

PASSED AND ADOPTED THIS ^{24th}~~25th~~ DAY OF August, 2021.



Nathan Hadley, Jr., Assembly President

PASSED AND APPROVED THIS ^{24th} ~~25th~~ DAY OF August, 2021.



Lucy S. Nelson, Mayor

SIGNED AND ATTESTED TO THIS ^{24th} ~~25th~~ DAY OF August, 2021.



Helena Hildreth, Borough Clerk

ATTEST:

First Reading: July 27, 2021

Second Reading: August 25, 2021
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