Date       March 10, 2020       Report No. 2020-119

To        Chair and Members
           Committee of the Whole – Community Development

From      Catherine Brubacher
           General Manager of Corporate Services/City Treasurer

1.0 Type of Report
       Consent Item [ ]
       Item For Consideration [X]

2.0 Topic   Feasibility of the City Accepting Unsolicited Donations on behalf of Advisory Committees [Financial Impact – None]

3.0 Recommendation

THAT Report No. 2020-119 titled Feasibility of the City Accepting Unsolicited Donations on behalf of Advisory Committees BE RECEIVED.

4.0 Purpose and Overview

Council, at its meeting held on February 25, 2020, provided direction to staff to review the feasibility of the City accepting unsolicited donations on behalf of the City’s advisory committees. As a result of the issues outlined in Section 8 of this report, staff is recommending that unsolicited donations should not be accepted on behalf of advisory committees. The purpose of this report is to provide the information as requested for Council’s consideration.

5.0 Background

At its meeting on February 4, 2020 members of the Committee of the Whole – Operations and Administration were provided with report 2020-18 – Acceptance
of Donations by Advisory Committee members. This report was provided in response to a request from the Environmental and Sustainability Policy Advisory Committee to undertake a review of existing policies, procedures and by-laws surrounding the solicitation of donations, and report back on the changes that would be necessary to allow boards and advisory committees to solicit, receive and use donations. On February 25, 2020, City Council approved the following with respect to this report:

A. THAT Report No. 2020-18 – Acceptance of Donations by Advisory Committee Members BE RECEIVED; and

B. THAT Staff BE DIRECTED to report back by the next cycle on the feasibility of the City accepting unsolicited donations on behalf of Council’s advisory committees; and

C. THAT $5,000 BE ALLOCATED to the Environmental and Sustainability Policy Advisory Committee from the Council Priorities Reserve for 2020; and

D. THAT a budget allocation for the Environmental and Sustainability Policy Advisory Committee in the amount of $5,000 BE INCLUDED in the 2021 operating budget as an unavoidable increase; and

E. THAT the overall framework of Committee funding BE REFERRED to the Meeting Process Review Task Force for review.

6.0 Corporate Policy Context

Analysis and recommendation is consistent with Corporate Policy 38-Sponsorship and Donation Policy.

7.0 Input From Other Sources

Input was received by Finance and the Legal and Real Estate department.

8.0 Analysis

The City of Brantford currently has 47 committees that are comprised of advisory committees, task forces, boards, quasi juridical bodies, standing committees and committees of the whole. Out of the 47 committees there are 11 committees that are considered advisory committees under Municipal Code Chapter 26 – Boards – Advisory Committees Duties – Functions. For the purposes of this report the following 11 advisory committees are subject to the proposed donation activities:
1. Brant, Brantford and Six Nations Impaired and Distracted Driving Advisory Committee
2. Accessibility Advisory Committee
3. Brantford Cultural Committee
4. Brantford Heritage Committee
5. Brownfields Community Advisory Committee
6. Economic Development Advisory Committee
7. Environment Sustainability Policy Advisory Committee
8. Tourism Advisory Committee
9. Cultural and Built Heritage Grant Programme Advisory Committee
10. Vision Zero Road Safety Committee
11. Community Safety and Well-Being Advisory Committee

Within the 11 advisory committees there are approximately 80 volunteers that comprise the overall membership.

The activity of accepting unsolicited donations towards the activities of an advisory committee may provide a small amount of non-tax supported funding, however, a there are number of concerns that should be considered first:

1. **Care And Control of Funds**
   - Staff would be responsible to take appropriate care to ensure that the unsolicited funds donated are spent as requested by the donor. With the potential for unsolicited donations to be collected at various city facilities, this could potentially require significant staff time to ensure the funds are deposited in an account for the intended purpose.
   - A financial ledger has not been established for most committees as most do not have a budget. If an unsolicited donation is received the following considerations need to be determined:
     - Who has the authority to approve expenditures? Currently only members of staff can approve expenses. This causes an issue for committees who do not have staff liaisons such as the Environmental Sustainability Policy Advisory Committee.
o If a committee is disbanded and has unspent funds, how will those funds be allocated? Policies would need to be put in place to ensure unspent donations are deferred for use in future years.

- The receipt of an unsolicited donation may also impose an obligation on the advisory committee to act on a certain initiative that may not be a priority
  o There is the potential that a single donor may inadvertently dictate the vision or strategic direction of the committee

2. Impact to the Advisory Committee Role

- Accepting unsolicited donations may lead to the perception that the donation was used as a means to sway a committee to approve an initiative that favors the donor.
- The unsolicited donation may be made for a very specific purpose and may not be an item which the committee is pursuing or does not have the support of Council.
- Advisory committees currently exist to advise council on specific matters. The nature of advisory committees undertaking an advisory role to Council limits the use of funds.
  a. There is the possibility that the committee may not have a means to spend the donated funds. Their advisory role to Council limits the use of funding toward activities that are “advisory” in nature.

3. Unintentional Solicitation

- There is the possibility that advisory committees might informally promote the ability to accept unsolicited donations. This type of informal promotion would undermine the “unsolicited” approach and would be difficult to enforce.

At the time of writing this report the City of Brantford has never received an unsolicited donation for any advisory committee. If a donation were to be received by the City, it must abide by the process as outlined in the City’s donation and sponsorship policy.

9.0 Financial Implications

There are no financial implications associated the recommendation.

10.0 Conclusion
This report has been prepared in response to City Council’s request in February 2020 to report back on the feasibility of the City accepting unsolicited donations on behalf of advisory committees.

Joelle Daniels, Director of Finance

Tanya Daniels, City Clerk/Manager of Legislative Services

In adopting this report, is a by-law or agreement required? If so, it should be referenced in the recommendation section.

By-law required [ ] yes [ ] no

Agreement(s) or other documents to be signed by Mayor and/or City Clerk [ ] yes [ ] no

Is the necessary by-law or agreement being sent concurrently to Council? [ ] yes [ ] no