

Ventura Fire Foundation



Gift Acceptance Policy Adopted by the Board of Directors on 1/24/2022

I. Overview

A. Purpose

The purpose of this Gift Acceptance Policy (the “policy”) is to guide the Ventura Fire Foundation (“VFF”) Board of Directors and staff as the organization solicits and accepts gifts for purposes that will help the organization further and fulfill its mission.

B. Why is a policy necessary?

This policy can help manage the expectations of donors, and also serve as guidance for Board and staff members who are either on the asking, or receiving, end of contributions. A few reasons for adopting this policy include:

- i. Avoiding accepting gifts may run counter to the nonprofit's values.
- ii. Avoiding gifts that may lead to legal obligations that VFF is not ready to handle.
- iii. Avoiding gifts that VFF is not equipped to either use, dispose of, or easily maintain.
- iv. Having a gift acceptance policy in place is considered a "best practice" from multiple perspectives - whether relating to relationships with donors, or managing VFF's own risks.
- v. The IRS Form 990 asks whether a nonprofit has a “gift acceptance policy” and requires nonprofits that respond “Yes” to complete Schedule M, as well as report any non-cash contributions/in-kind gifts.

II. Use of Legal Counsel

A. VFF

VFF will seek the advice of legal counsel in matters relating to acceptance of gifts when appropriate.

B. Prospective Donors

VFF urges all prospective donors to seek the assistance of personal legal and financial advisors in matters relating to their gifts, including the resulting tax and estate planning consequences.

III. Policies and Guidelines

The following policies and guidelines govern acceptance of gifts made to VFF for the benefit of any of its operations, programs or services.

A. Review by VFF legal counsel is recommended for:

- i. Gifts of securities that are subject to restrictions or buy-sell agreements.
- ii. Documents naming VFF as trustee or requiring VFF to act in any fiduciary capacity.
- iii. Gifts requiring VFF to assume financial or other obligations.
- iv. Transactions with potential conflicts of interest.
- v. Gifts of property which may be subject to environmental or other regulatory restrictions.

B. Restrictions on Gifts

VFF will not accept gifts that:

- i. Would result in VFF violating its corporate charter,
- ii. Would result in VFF losing its status as an IRC § 501(c)(3) not-for-profit organization,
- iii. Are too difficult or too expensive to administer in relation to their value,
- iv. Would result in any unacceptable consequences for VFF,
- v. Are for purposes outside VFF's mission.

Decisions on the restrictive nature of a gift, and its acceptance or refusal, shall be made by the Board of Directors, in consultation with the Executive Director.

C. Use of Gifts

All accepted gifts will be used by VFF to further its mission, in a manner determined solely by VFF Board of Directors. In determining the best use of a gift, the Board will be guided by furtherance and fulfillment of the VFF mission, as well as consideration of donor intent and guidance.

D. Gifts Generally Accepted Without Review.

Certain forms of gifts will be generally accepted by VFF without prior review by the Board of Directors. Examples include, but are not limited to:

i. Cash.

Cash gifts are acceptable in any form, including by check, money order, credit card, or on-line. Donors wishing to make a gift by credit card must provide the card type (e.g., Visa, MasterCard, American Express), card number, expiration date, and name of the card holder as it appears on the credit card.

ii. Marketable Securities.

Marketable securities may be transferred electronically to an account maintained at one or more brokerage firms or delivered physically with the transferor's endorsement or signed stock power (with appropriate signature guarantees) attached. All marketable securities will be sold promptly upon receipt unless otherwise directed by the VFF Board of Directors. In some cases

marketable securities may be restricted, for example, by applicable securities laws or the terms of the proposed gift; in such instances the decision whether to accept the restricted securities shall be made by the Board of Directors.

iii. Bequests and Beneficiary Designations under Revocable Trusts, Life Insurance Policies, Commercial Annuities and Retirement Plans.

Donors are encouraged to make bequests to VFF under their wills, and to name VFF as the beneficiary under trusts, life insurance policies, commercial annuities and retirement plans.

iv. Charitable Remainder Trusts.

VFF will accept designation as a remainder beneficiary of charitable remainder trusts.

v. Charitable Lead Trusts.

VFF will accept designation as an income beneficiary of charitable lead trusts.

E. Gifts Accepted Subject to Prior Review

Certain forms of gifts or donated properties may be subject to review by the Board of Directors, including use of legal counsel, prior to acceptance. Examples of gifts subject to prior review include, but are not limited to:

i. Tangible Personal Property.

The Board of Directors shall review and determine whether to accept any gifts of tangible personal property in light of the following considerations: does the property further the VFF mission? Is the property marketable? Are there any unacceptable restrictions imposed on the property? Are there any carrying costs for the property for which VFF may be responsible? Is the title/provenance of the property clear?

ii. Life Insurance.

VFF will accept gifts of life insurance where VFF is named as both beneficiary and irrevocable owner of the insurance policy. The donor must agree to pay, before due, any future premium payments owing on the policy.

iii. Real Estate.

All gifts of real estate are subject to review by the Board of Directors. Prior to acceptance of any gift of real estate other than a personal residence, VFF shall require an initial environmental review by a qualified environmental firm. In the event that the initial review reveals a potential problem, VFF may retain a qualified environmental firm to conduct an environmental audit. Criteria for acceptance of gifts of real estate include: Is the property useful for VFF purposes? Is the property readily marketable? Are there covenants, conditions, restrictions, reservations, easements, encumbrances or other limitations associated with the property? Are there carrying costs (including insurance, property taxes, mortgages, notes, or the like) or maintenance expenses associated with the property? Does the environmental review or audit reflect that the property is damaged or otherwise requires remediation?

vi. Gifts of an Unusual Nature.

All gifts of a type or size that is unusual for VFF are subject to review by the Board of Directors