



HUTTO FIRE RESCUE

WILLIAMSON COUNTY EMERGENCY SERVICES DISTRICT #3

STANDARD OPERATING PROCEDURES

STANDARD OPERATING PROCEDURE - Administration <p style="text-align: center;">#1-4.7 (Revised)</p> ISSUE DATE: October 1, 2021 EFFECTIVE: October 1, 2021	RESCINDS: #1-4.7: Donation Policy (2010)
SUBJECT: <p style="text-align: center;">DONATION POLICY</p>	AUTHORIZED BY: <p style="text-align: center;">Williamson County ESD #3 Board of Commissioners</p>
REFERENCE / AUTHORITY: State of Texas Laws State of Texas Statutes	APPLIES TO: <input checked="" type="checkbox"/> Full Time Uniformed Staff <input checked="" type="checkbox"/> Volunteer Uniformed Staff <input checked="" type="checkbox"/> Civilian Staff <input checked="" type="checkbox"/> ESD Commissioners
TFCA BEST PRACTICES: Chapter (s) : Item (s) :	CPSE / CFAI ACCREDITATION:



PURPOSE

Establish a fiduciary policy for Hutto Fire Rescue/Williamson County Emergency Services District #3 (Hutto Fire Rescue) addressing the donations and/or solicitation of donations for monies, goods, and/or services.

BACKGROUND

As a political subdivision of the State of Texas, Hutto Fire Rescue is required by State of Texas statutes to develop and adopt procedures addressing the donation of items to the organization. This includes, but is not limited to the donation of monies, goods, and/or services. The management of those donations is also required and is also addressed in this policy.

POLICY

DEFENITION

Conflict of Interest: Identifies those situations where contractors or public officials may obtain a benefit from a public contract.

GENERAL

- A. According to Chapter 36 of the *Texas Penal Code* anyone "who exercises discretion in connection with contracts, purchases, payments, claims, or other pecuniary transactions of government commits an offense if he solicits accepts or agrees to accept any benefit" from an individual or company that is interested in those contracts, purchases, payments, claims, or transactions.
- B. Donations must only be used for an "authorized function or duty" of the Hutto Fire Rescue. The function of those funds will be described in the *Donation Agreement* (attached).

DONATION PROCESS

- A. When a donation is solicited or volunteered to Hutto Fire Rescue, Hutto Fire Rescue will initiate a *Donation Agreement* first to examine the intent and determine if conflicts of interest exist. If conflicts of interest exist additional paperwork will be needed.
- B. Once all paperwork and forms are compiled, the Fire Chief will review the agreement and attached documents to determine if the acceptance of the donation is appropriate.
- C. Once the donation is accepted, the donation must be accounted for through record-keeping that is auditable and accessible for the public inspection as directed by the Fire Chief.
- D. The donation will only be used for the specifications outlined in the *Donation Agreement*.
- E. To solicit for donations, Hutto Fire Rescue members must request permission by filling out *The Request To Solicit Donations* form (attached) describing the reason and the impact which must be approved by the Fire Chief.
- F. Donations should not be solicited from any vendors that are involved in an open bid process or in the processes of being awarded a contract with Hutto Fire Rescue.
 - 1. The solicitor must supply the Fire Chief a list of any vendors that will be contacted before the solicitation process begins to confirm.

ACCEPTANCE OF THE DONATION

- A. A completed *Donation Agreement* must be submitted with all donations that explain the purpose of the donation and are signed by an authorized signer.
- B. The *Donation Agreement* must state the donation has freely been given and is a bona fide donation, such that the donor does not expect special treatment because of this gift.
- C. If the donor requests a 501(c)(3) status for tax purposes, the donation must go through the volunteer members of Hutto Fire Rescue.

DECLINE OF THE DONATION

- A. If it appears that the donation is being offered with the expectation of obtaining advantage or preference in dealing with the Hutto Fire Rescue.
- B. If acceptance of the donation would create an appearance or actual conflict of interest for Hutto Fire Rescue or any of its members to whom authority to solicit or accept donations has been delegated.
 - 1. Conflicts of Interest may result in a breach of Hutto Fire Rescue *Code of Ethics*.
- C. The intended use of the donation is inconsistent with or otherwise seeks to circumvent laws, regulations, or policies.

Williamson County Emergency Services District #3



Hutto Fire Rescue
501 Exchange Boulevard, P.O. Box 175
Hutto, TX 78634
Phone (512) 759-2616 FAX (512) 846-1946
www.huttofirerescue.org

“YOUR HOMETOWN ALL-HAZARDS FIRE DEPARTMENT”

Hutto Fire Rescue/Williamson County ESD #3 Donation Agreement

Donor/Company Name: _____
Contact Name: _____
Contact Phone: _____
Address: _____
City/State/Zip: _____
Contact Email: _____
Contacted By (Solicitor): _____
Donation Value: _____
Donation Description: _____

Intended use of the Donation: _____

I, _____ (Donor) am making a donation of _____ to Hutto Fire Rescue/Williamson County Emergency Services District #3. This donation is being given freely and is a bona fide donation, meaning it is without any expectation of special treatment by Hutto Fire Rescue/Williamson County Emergency Services District #3. It is also known that the donation will only be used for the purpose specified above and that the above information is correct to the best of your knowledge.

By signing below, the conditions are understood.

Authorized Signature: _____ Date: _____

OFFICE USE ONLY

Signature: _____ Accept Decline

Date of Accept or Decline: _____

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Fire Chief

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“YOUR HOMETOWN ALL-HAZARDS FIRE DEPARTMENT”

Hutto Fire Rescue/Williamson County ESD #3 Request to Solicit Donations

Solicitor: _____

Purpose: (Include the specific project or duty that will be directly effected): _____

The effect the donation will have: _____

Solicitor's Signature: _____ Date: _____

DECISION OF PERMISSION

Approved

Denied

Signature of Fire Chief: _____

Date: _____

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