

## CITY COUNCIL SPONSORED SPECIAL EVENTS

### Donations to Support City Council Sponsored Special Events:

- 1) Obtain approval to solicit and receive donations with your special events memo to Rules Committee and the City Council. (Reso. No. 72517)
- 2) The CM will need to file a DFR1 for contributions/donations received. You only need to report fundraising solicitations which resulted in a contribution or donation in any dollar amount or value (includes donations of funds, goods, or services to, or payment of funds). (SJMC § 12.16.020.A). The deadlines for the DFR1 can be viewed at: <https://www.sanjoseca.gov/Home/ShowDocument?id=52081>. Examples:
  - a. Contributions from one Council District to another Council District are not considered fundraising solicitations that need be reported on the DFR1.
  - b. However, contributions made from a third party to (for example) Council District A for an event that is being held by Council District B would need to be reported on the DFR1 by Council District A.
- 3) The CM will need to file a Form 803 with the City of San Jose for any contribution of \$5,000 or more received from a single source in a calendar year within 30 days of the payment hitting the \$5,000 mark. For example, If Smith Corp donates \$2,000 in February, \$2,000 in July and \$2,000 in November, the third donation would trigger the 803 filing requirement.
- 4) Resolution No. 72517 prohibits you from having a special event account and any leftover donated funds not used for the event needs to be transferred to the General Fund.
- 5) Any flyers or printed solicitations should be reviewed by the City Clerk's Office and/or City Attorney's Office before distribution to make sure it meets City and State rules. If you are delivering or mailing out letters/postcards/flyers/invitations to people (to 200 or more) mass mailing rules would apply and should be followed.
- 6) Donations to the City are not tax-deductible.
- 7) Though not required, it's suggested to send a thank you note for donations received.

### City Council Sponsored Special Event Expenses

- 1) All contracts/agreements must be approved as to form by the City Attorney's office and signed by the City Clerk. Remember, invoices are usually agreements.
- 2) Raffle prizes are not an allowable expense unless specifically approved by Council. The new Special Event Template covers this.
- 3) A Special Event Policy has been drafted and to address allowable expenditures.