

## 2.13 Gifts and Donations

The New Braunfels Public Library acknowledges the importance of private gifts and donations to the library's development and growth. Such gifts come from various sources and take many forms. In order to assure that the decisions on the acceptance of gift and donation offers are made in a timely, consistent manner and are appropriate in terms of both the design of the facility and the purpose of the library, the following policy has been approved.

### **I. Policy and Priorities**

All donations become the property of the New Braunfels Public Library, a department of the City of New Braunfels. The fiscal impact of the gift on the library is one of the criteria to be considered in making the decision on its acceptance. The library will acknowledge receipt of donated items but is unable to set fair market or appraisal values.

### **II. Guidelines**

#### **1. Books and Materials**

The Friends of the New Braunfels Public Library welcome gifts of books and other materials with the understanding that such gifts will be given to the library and added to the library collection only if they meet the same standards required of purchased materials. Gift materials not meeting those standards will be donated to another institution where they might be used, or they may be sold in the Friends of the Library book sale or bookstore. Gift materials will be integrated into the library collection in normal sequence and handled as any other material belonging to the library.

#### **2. Monetary Memorials and Honorariums**

Monetary memorials or honorary contributions are welcome. Funds donated will be used to purchase items in accordance with the selection policy of the library. The library will accept subject requests for materials to be purchased with donated funds only if these subjects are readily available, conform to the library's Collection Development Policy, and meet the needs of the library.

#### **3. Equipment**

The Library Advisory Board, on the advice of the library director and staff, shall make the decision as to the acceptance of equipment valued at \$3,000 or greater. Equipment valued at less than \$3,000 shall be accepted at the discretion of the Library Director. Among the criteria on which the decision shall be based are need, space, and frequency and expense of maintenance.

#### **4. Art Objects**

The Library Advisory Board, on the advice of the library director and staff, shall make the decision as to the acceptance of an art object and the determination of its location in

the library. Among the criteria on which the decision shall be based is the appropriateness of the art to the facility and the impact on the operations of the library. To assist in determining provenance, donations of fine art objects may be uniformly labeled by the library to acknowledge the donor.

#### **5. Landscaping**

The library director shall make the decision as to the acceptance and location of gifts of landscaping items. The major criterion on which the decision shall be based is the appropriateness of the gift to the landscaping plan for the building.

### **III. Disposition of Gifts**

All non-monetary gifts may be subject to disposition at some point. When books and materials donated to the library are no longer needed or have become so worn or damaged as to be beyond repair, they will be disposed of in the same manner as purchased books and other materials. Donated items will not be returned to the donor, nor will the donor be advised of the disposition of donated items. This disposition policy shall be applied to other gifts such as equipment, art objects, and landscaping. Since all gifts to the New Braunfels Public Library become the property of the City of New Braunfels, appropriate City disposition procedures must be followed.

### **IV. Recognition of Gifts**

While gifts may come to the New Braunfels Public Library from different sources and under a variety of circumstances, it is believed that a uniform method of recognizing the contributions is necessary to maintain order and to foster a sense of fairness among donors.

Accordingly, the Library Advisory Board adopts the following policies and procedures regarding the recognition of gifts. To implement them in a consistent manner, donors and potential donors should be directed to the library director.

- A. All gifts and donations to the New Braunfels Public Library, except for used books and materials, shall be recognized by an appropriate letter of appreciation from the library.  
**Note:** Donations to the New Braunfels Public Library are **NOT** tax deductible under Internal Revenue Service Code Section 501(c)3, as the library and the City of New Braunfels are not charitable organizations.
- B. An inscribed gift plate acknowledging the donor(s) shall be placed in book(s) donated or purchased with donated funds.
- C. When memorial or honorarium gifts are received, cards of acknowledgement shall be sent to the surviving family member(s) or the honoree specified by the donor(s).
- D. The Friends of the New Braunfels Public Library and the New Braunfels Public Library Foundation are charitable organizations as defined under section 501(c)3 of the Internal



Revenue Service Code. Tax-deductible contributions to benefit the library may be made to one of these organizations. The following donor levels shall be acknowledged on a perpetual plaque on the donor wall in the library when contributions are received in one lump sum or, in the case of memorial donations, within a six-month time period following the announcement of solicitation.

- Patron – Gifts of \$5,000 to \$9,999
- Benefactor – Gifts of \$10,000 to \$19,999
- Founder – Gifts of \$20,000 to \$99,999

E. Gifts of \$100,000 or more shall be recognized on an individual basis acceptable to the donor(s) and in a manner appropriate for such a significant gift.

## V. Trusts

### 1. Alys Sissel Trust

Alys R. Sissel, deceased, established a trust under her will dated March 9, 1982. The trust established a Sissel Building Fund for the Dittlinger Memorial Library, now known as the New Braunfels Public Library, and the sole beneficiary of the trust. The use of Sissel Building Fund is restricted to capital improvements and controlled solely by the Library governing body, now known as the New Braunfels Library Advisory Board.

The trustee, JP Morgan Chase, managed all trust investments, placed trust income into the Sissel Building Fund each quarter, and funded Library Capital Improvements requested by the library director and approved by the Library Advisory Board.

A 2015-16 Library Advisory Board study to improve Sissel Trust income led to 2016 agreements between the Library Advisory Board, JP Morgan Chase, and the New Braunfels Area Community Foundation, with the following results:

- a. Trust income will be four percent per annum of the trust principle, consistent with the Texas Property Code, Chapter 163.005e, Management, Investment and Expenditure of Institutional Funds.
- b. Income will be deposited quarterly by JPMorgan Chase into the New Braunfels Public Library Designated Fund managed by the New Braunfels Area Community Foundation. With the concurrence of the Library Advisory Board, the Sissel Building Fund has been terminated by JP Morgan Chase.
- c. Capital Improvements requested by the library director and approved by the New Braunfels Library Advisory Board will be sent to the New Braunfels Area Community Foundation for funding. The Community Foundation will charge one percent per annum of the funds on deposit for their services.
- d. The New Braunfels Advisory Board shall provide quarterly and annual reports to JP Morgan on the status and use of the Sissel Trust Funds.

### **Attachments**

1. Sissel Will
2. Approval, Release and Indemnification Agreement – changes Sissel Trust income to 4% of principal per year.
3. Agreement to terminate, approval of accounts, release, discharge, and indemnification – terminates the JPMorgan Chase Building Trust.
4. New Braunfels Community Foundation Designated Fund Agreement with JPMorgan Chase

Approved by the New Braunfels Public Library Board, Oct. 16, 2000

Revised March 13, 2002; June 14, 2004; April 17, 2006; July 17, 2006; May 19, 2008; July 19, 2010

Endorsed Feb. 15, 2016; Revised Oct. 24, 2016; Nov. 17, 2017

Revised Nov. 16, 2018; Jan. 27, 2020

Endorsed Oct. 18, 2021

By: \_\_\_\_\_

President, Library Advisory Board

Attest: \_\_\_\_\_

Library Director