

Administrative Order



Administrative Order No.: 1-3

Title: Gifts to the County

Ordered: 3/17/1992

Effective: 3/27/1992

AUTHORITY:

Section 4.02 and 4.03 of the Metropolitan Dade County Charter and Resolution No. 5377, dated June 28, 1960, as amended by Resolution R-1178-81, dated July 21, 1981.

SUPERSEDES:

This Administrative Order supersedes previous Administrative Order 1-3, dated July 21, 1981.

POLICY:

The authority to accept or reject gifts, donations, artwork, commemorative and/or memorial structures, and devises or bequests offered to the County with a fair market value greater than \$1,000 lies with the County Manager, on behalf of Metropolitan Dade County.

The authority to accept or reject gifts, donations, artwork, commemorative and/or memorial structures, and devises or bequests offered to the County with a fair market value less than \$1,000 shall lie with the Department Director of the department receiving the offer. All departments must send an itemized list of gifts both accepted or rejected on a quarterly basis to the County Manager.

CASH GIFTS:

The authority to accept or reject cash gifts or donations lies with the department director, if under \$1,000, and with the County Manager if over \$1,000. All cash gifts must be deposited in an appropriate County Trust Fund, or other fund approved by the Finance Department, based upon conditions and limitations, if any, stipulated by the donor. All expenditures must be by standard County procedures.

POLICY STATEMENT:

The policy is oriented toward encouragement of beneficial material gifts if such gifts are deemed by the County to contribute positively to public places, lands, and

buildings. The policy reflects the intention of the County to accept donations which are useful or aesthetically pleasing to the sponsoring department, in particular, and the County, in general, while seeking to preserve public places against narrow interest uses, unsightly modifications or inappropriate changes of character, or long-term costly maintenance obligations.

DENIAL OF REQUEST:

Requests to make donations may be denied for any reason including but not limited to any of the following considerations:

1. The public benefit to be derived from the donation may be less than the cost of maintaining the donation;
2. Public space at the intended location may be more appropriately used for other purposes;
3. An excessive proliferation of such donations may exist or may be encouraged;
4. The aesthetic or functional qualities of the donations are judged to be inappropriate;
5. The source of the donation is judged to be inappropriate; or
6. Any other aspect of the donation is judged inappropriate.

EXCLUSION:

Any and all County public rights-of-way (public property, street easement, highway, sidewalk or swale area) in unincorporated Dade County will be excluded from the placement of commemorative and/or memorial structures, as well as all forms of artwork. Additionally, areas, in general, that might endanger the public safety will be excluded.

ART AND ARCHITECTURAL OBJECTS:

Donations of artwork or commemorative structures of artistic merit shall be reviewed by Art in Public Places following the procedures described herein. Artwork or structures of a commemorative and/or memorial nature will only be permitted in public buildings or public land holdings upon the following conditions:

1. The proposed acquisition has been reviewed by the Art in Public Places Trust and its Professional Advisory Committee, and
2. It meets structural and fabrication design as outlined by industry standards, the requirements of the South Florida Building Code and all other applicable regulations.
3. The structure or feature improves the recreational or resource ability of a public building, or public land holding; or
4. It contributes to the public's understanding of the site's unique history, geology, geography, use or culture; or
5. It acknowledges public service that has broad and community benefit.

For donations of artwork or commemorative and/or memorial structures of artistic merit, valued in excess of \$1,000, the sponsoring department will forward a completed questionnaire, with department director recommendation and any other pertinent information, to Art in Public Places Trust. The Art in Public Places Trust shall review the proposed acquisition in accordance with its formally adopted Gift Policy, as it may be amended from time to time by the Trust. The recommendation of the Art in Public Places Trust will be forwarded to the sponsoring department director, for his further review, then the director will forward his recommendation, along with that of the Trust, to the County Manager for his final review and approval.

Upon recommendation by the Art in Public Places Trust, the County Manager may authorize the removal, sale or disposal of any artwork or architectural structures.

Donors will cover the cost of any and all expenses connected with the initial installation of the artwork or commemorative and/or memorial structures, and other display needs, including an appropriate identification plaque and maintenance by specialized experts, if required, and for operational expenses, if necessary.

ACKNOWLEDGMENT OF OFFERS:

Upon acceptance or rejection of a donation or gift by either the Department Director or the County Manager, the donor shall receive a letter expressing gratitude on behalf of the County Commission. This letter should be prepared by the department for appropriate signature. The Department Director shall retain a copy of the same. The County will not provide appraisal certification or valuation to the donor.

This Administrative Order is hereby submitted to the Board of County Commissioners of Dade County, Florida.

Joaquin G. Aviñó, P.E., P.L.S.
County Manager

ACCEPTANCE/REJECTION OF ARTWORK AND/OR COMMEMORATIVE DONATIONS
BY
SPONSORING DEPARTMENT

1. What is the description of the artwork and/or commemorative gift being proposed or donated (size, shape, type of material, normal installation or special installation requirements, and operational expenses (electricity, for example); also attach photographic and other documentation relevant to its value or merit)? _____

2. Is there a site available (land, building, or location) that is neither developed nor planned for future development? _____

3. Does the artwork and/or commemorative gift directly or indirectly affect the department or facility level of service standards? _____

4. Will the artwork and/or commemorative gift or its location adversely impact the effectiveness of service delivery? _____

5. Does the artwork and/or commemorative gift acknowledge a person(s), place, or event that warrants broad and enduring public recognition? _____

6. What stipulations, considerations, or modifications, if any, are necessary? _____

7. What is the justification to either accept or reject the artwork and/or commemorative gift, and explain why? _____

8. What other comments might be offered, if any? _____

Acceptance _____

Rejection _____

Date: _____

Signed: _____

NOTE: PLEASE FORWARD TO DIRECTOR, ART IN PUBLIC PLACES,
SUITE 610, METRO-DADE CENTER, 111 N. W. FIRST
STREET, MIAMI, FLORIDA 33128-1982.