

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE repealing section 933., Jackson County Code, 1984, relating to the Combined Charities Campaign and enacting, in lieu thereof, one new section relating to the same subject.

ORDINANCE #4035, September 22, 2008

INTRODUCED BY Theresa Garza Ruiz, County Legislator

WHEREAS, the County has been requested by a labor organization representing County employees that its community assistance charitable organization subsidiary be added to the list of charitable organizations allowed to participate in the County's Combined Charities Campaign; and,

WHEREAS, an amendment to the code section governing the campaign is necessary in order for this to take place; and,

WHEREAS, such amendment is in the best interests of the health, welfare, and safety of the citizens of Jackson County; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, as follows:

Section A. Enacting Clause. Section 933., Jackson County Code, 1984, is hereby repealed and one new section enacted in lieu thereof, to be known as Section 933., to read as follows:

933. Combined Charities Campaign Policy.

933.1 Generally.

The county will hold an annual Combined Charities Campaign during which eligible charitable federations or funds will be allowed to solicit county employees for contributions. Employees will be allowed to make direct contributions, or to pledge contributions to be deducted from employee paychecks.

933.2 Eligibility.

To be eligible to participate in the Jackson County, Missouri Combined Charities campaign as a federation or fund, a charitable organization must be an umbrella organization, it must fund at least ten member organizations and may not provide more than 10% of its revenues to any one charity, it must provide substantial services in the Jackson County area, and the federation/fund and all of its member organizations must meet the following additional criteria.

- a. The organization must be organized and registered for charitable purposes under all applicable Missouri State statutes.
- b. The organization must be exempt from taxation under section 501(c)(3) or section 170(c)(1) or (2) of the Internal Revenue Code and must have held that exempt status for a period of not less than two years prior to the campaign.

- c. The organization and its affiliated agencies shall have written policies of non-discrimination and shall comply with all laws and regulations regarding non-discrimination and equal opportunity with respect to clients, officers, employees, and volunteers.

- d. The organization must not be a private foundation nor be organized solely to participate in the Jackson County Combined Charities campaign.

- e. The organization must be governed by a volunteer board of directors serving without compensation.

- f. The organization must not contribute funds collected from the Jackson County, Missouri Combined Charities Campaign to any political advocacy group.

- g. The organization must ensure that its promotional activities and printed materials are based upon actual program operations and are truthful, non-deceptive, and include all material facts relative to its cause.

- h. The organization must ensure that its publicity and promotional activities protect against unauthorized use of its contributor lists.

- i. The organization must provide its most recent IRS Form 990. If total funds raised in the preceding year equal or exceed \$100,000.00, the organization must also provide its most recent financial audit by an independent certified public accountant.

- j. Each labor organization which has been recognized by the County as representing a bargaining unit of County employees may designate one charitable agency that is closely associated with that labor organization and meets all of the other criteria of this subsection to participate in each year's Combined Charities Campaign.

The CEO or director of the organization applying to participate as a federation or fund must certify that the federation/fund and its member organizations meet the applicable criteria. The federation/fund's administrative fund raising expenses shall not exceed 25% of total support and revenue, unless a reasonable explanation is given and a plan for reducing the percentage to less than 25% over three years is included with the organization's application to participate in the campaign.

933.3 Administration.

Periodically the County will seek proposals from qualified federations/funds and the federation/fund that submits the best proposal will be chosen to administer the campaign for a set period. Factors to be used to determine the best proposal shall include experience of the federation/fund in administering campaigns, the proposed

administrative cost percentages, the federation/fund's ability to distribute contributions including continuing payroll deductions, the federation/fund's experience with health and human service charities, and the federation/fund's presence in and familiarity with the needs of the Jackson County community. The proposals must provide for the following services:

- a. The federation/fund must prepare and distribute a donor choice card which allows employees to choose for donation any qualified federation/fund or any of its member agencies. Each employee will be required to designate either a federation/fund or one of its member organizations to receive that employee's contributions.
- b. The federation/fund will receive all contributions from the county and will distribute the funds to the designated agency.
- c. The federation/fund may withhold a percentage of the contributions to charities that are not members of its umbrella group for its administrative costs in distributing contributions to those charities, or for other administrative costs that are directly related to the participation in the campaign of these non-member charities. The federation/fund may withhold a percentage of the contributions distributed to its member charities in accordance with its agreements with those charities. The administrative costs that justify the

percentage proposed to be withheld must be detailed in the proposal.

- d. The federation/fund will not be required to solicit contributions on behalf of charities that are not members of its umbrella group, but the federation/fund must allow equal opportunity for other qualified federations/funds to participate in any rallies or other presentations for county employees.

- e. The federation/fund must show that it is governed by Jackson County area citizens and has substantial procedures to ensure its credibility with county employees.

933.4 Selection.

The county executive or his or her designee will solicit proposals and select the federation/fund that will administer the campaign. The county executive may promulgate rules and regulations necessary to the effective administration of the campaign.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:


Deputy County Counselor


County Counselor

I hereby certify that the attached Ordinance, Ordinance #4035 of September 22, 2008 was duly passed on October 6, 2008 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

Nays 0

Abstaining 0

Absent 1

This Ordinance is hereby transmitted to the County Executive for his signature.

10.7.08
Date


Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance #4035.

10/08/2008
Date


Michael D. Sanders, County Executive