



MEMORANDUM

Date: June 18, 2024

To: Mayor Satya Rhodes Conway
City of Madison Common Council
City of Madison Finance Committee
City of Madison Water Utility Board

From: Marcus Pearson, Public Information Officer
Krishna Kumar, General Manager

Subject: Authorize Acceptance of Third-Party Donations for Outreach Program

RECOMMENDATION:

Staff recommends the approval of a resolution to allow for the ongoing solicitation and acceptance of donations from third parties for Madison Water Utility's (MWU) public outreach program, in compliance with Madison General Ordinances Section 3.35 and not to exceed \$10,000 annually.

BACKGROUND:

MWU's public outreach team is tasked with providing educational opportunities centered around MWU's core mission: Supplying high quality water for consumption and fire protection, at a reasonable cost, while conserving and protecting our ground water resources for present and future generations.

Essential to effective public outreach efforts are partnerships, and MWU recognizes the potential advantages of further involving individuals, businesses, and charitable organizations for mutual benefit. Continuing to address the challenges of providing equitable outreach resources – that positively impact MWU's collective ability to protect and conserve our water resources – requires support and participation from all levels of the public sector, the private sector, and nonprofit organizations alike.

Historically, Madison Water Utility has held a partnership with UW Health Healthy Kids program. Funds solicited from the program were used to purchase reusable water bottles for the Utility's Water Wagon Outreach program. The Healthy Kids program was discontinued in 2024. The Utility now desires to seek new funding partner relationships. Such funding partnerships, in the

form of third-party donations, would enable MWU's outreach program to provide the public with items such as reusable water bottles, self-draining hose bibbs, low-flow fixtures, and other resources designed to:

- Increase public knowledge of MWU and the water systems it manages.
- Encourage water conservation.
- Protect the overall health of our shared land and water environment resources.
- Maintain a positive relationship with MWU and its goals.

The applicable section of the City of Madison's ethics code – Section 3.35(5)(a)2 of Madison General Ordinances – authorizes City employees and officials to solicit and accept donations from third parties provided that:

- The donations are to be used for a City project.
- The solicitation has been approved by a resolution of the Common Council.
- The entity receiving the donations is not an entity which is associated¹ with the City elected officials or employees who are soliciting the donations.
- A report of the amount and date of contributions and contributors for all donations for the project is filed with the City Clerk within six months of the receipt of the donation.

For the purposes of this recommendation, the "City project" would be defined as the ongoing MWU outreach program. Therefore, any solicited donations must be solely related to MWU's public outreach efforts, or they will not be accepted as part of this resolution.

FISCAL NOTES:

No additional City appropriation required. Donations received as part of these efforts are not to exceed \$10,000 of value annually without separate approval via resolution of Common Council.

LEGISLATIVE PATH:

06/18/24 – Common Council (Introduction)
06/24/24 – Finance Committee
06/25/24 – Water Utility Board
07/02/24 – Common Council (Final Approval)

ATTACHMENTS:

1. Resolution # 83868 authorizing acceptance of third-party donations for outreach program.

¹ "Associated," when used with reference to an organization, includes any organization in which an individual or a member of her or his immediate family is a director or officer or owns or controls, directly or indirectly, and severally or in the aggregate, at least two percent (2%) of the outstanding equity. Notwithstanding the foregoing, an elected official or employee who is appointed by the Mayor or approved by the Council to serve as an officer or board member of a private non-profit organization, or a public committee or board, does so in his/her official capacity as a representative of the City of Madison and, as such, is not "associated" with the private or public organization.