

Action Item A-3

CBH Designated Fund Agreement

Background:

CBH, as a public agency, has not developed a mechanism to accept a significant volume of donations. As we undertake ambitious capital improvement strategies identified in our Strategic Plan, CBH must enhance its resource development capabilities.

One key element of resource development is the administration of and accounting for funds received. CBH has not been structured for these functions, and therefore has had to choose whether to undertake these functions internally or find an experienced community partner to manage them for us. In the best judgment of staff, we believe an experienced community partner best serves us and our community.

The Williamsburg Community Foundation (WCF) has been provided these services for nonprofit organizations (of variable sizes) and causes for over 25 years and is ably situated to manage contributions to CBH capital projects on our behalf. Utilizing the WCF's expertise in this area will allow CBH a greater focus on the other aspects of resource development and management of the broader project(s).

Undertaking this Agreement with the WCF will also lay the foundation for a potential long-term relationship related to support of CBH beyond the capital projects in our immediate future.

Attached to this memo are three (3) documents for your review:

1. WCF "Quick Facts" providing an overview of their history and types of funds they currently administer;
2. WCF "Types of Funds" describing the various category of giving options available to donors and agencies;
3. The proposed CBH Designated Fund Agreement between the Williamsburg Community Foundation and CBH.

Recommended Motion:

That the CBH Board authorize the Board Chair and Executive Director to execute the CBH Designated Funding Agreement with the Williamsburg Community Foundation.

Quick Facts

WHAT IS A COMMUNITY FOUNDATION?

Community foundations are tax-exempt public charities that invest and administer a pool of funds established by individuals, families, businesses and organizations. Each fund provides grantmaking dollars for community needs. Like all community foundations, the WCF is overseen by a volunteer board of leading citizens and run by professionals with expertise in knowing our community's needs. [Learn more.](#)

GIFTS FROM THE COMMUNITY

At the end of its first fiscal year in 1999, the Foundation had \$100,000 in assets; currently the Foundation has assets of approximately \$26 million. Last year, generous local donors made gifts of over \$1.1 million to the Foundation. [Read some of our donors' stories.](#)

GRANTS TO THE COMMUNITY

Since its inception, the Foundation has awarded grants and scholarships totaling \$11.3 million to more than 200 nonprofit organizations and over 1,000 students. The Foundation makes competitive grants in its service area; James City County, York County and Williamsburg. [Learn more.](#)

ASSETS TO GIVE

Gifts in any amount may be made to the Community Endowment, Annual Fund or to any named fund in the form of:

- Check or credit card ([click here to give online](#)).
- Negotiable securities

The Foundation will also accept the following types of gifts: **real or personal property, life insurance, retirement assets, bequest by will or charitable trust**. Please call 757-259-1660 for information prior to making any gifts of these types. [Learn more.](#)

TYPES OF NAMED FUNDS

Named funds may be established to serve a donor's philanthropic interests. [Learn more.](#)

 Search

Types of Funds

We can work with you to create a solution that meets your goals to make the most impact with your giving. Below are several fund options we offer, and you can create these using a gift now or a planned gift in the future. For a complete list of funds of the Williamsburg Community Foundation, see the current [Annual Report](#).

Community Endowment

The Foundation's Distribution Committee will review applications and determine recipients from your Community Endowment Fund based on changing community needs. You may also make a gift in any amount to the general Community Endowment.

Minimum initial gift to start your fund: \$10,000

[Example: Jane and Bob Taylor's Community Endowment Fund](#)

Field-of-Interest

You select a broad area of interest to receive grants from your fund.

Minimum initial gift to start your fund: \$35,000

[Example: The Genevieve McGiffert Memorial Fund for the Musical Performing Arts](#)

Area Funds

You can make a gift in *any amount* to one of the Foundation's Community Endowment Area Funds for [Arts and Culture](#), [Children and Young Adults](#), [Environment and Conservation](#), [Scholarship](#), [Health & Wellness](#), or [Senior Services](#). The Foundation's Distribution Committee will make annual grants from these funds to programs in those specific areas.

Donor-Advised

You choose which charities you wish to support through a recommendation to the Board of Trustees. In most cases, a donor-advised fund can be a simpler, less expensive alternative to a private foundation.

Minimum initial gift: \$10,000 (non-endowed) \$35,000 (endowed)

Example: Elizabeth C. and William J. Wilhelm Fund

Designated

You choose a specific organization or organizations to receive annual distributions from the fund.

Minimum initial gift: \$10,000

Example: John D. Walker Memorial Endowment Fund benefitting Dream Catchers

Agency Endowment Funds

Nonprofit organizations establishing endowments with the Foundation will benefit from expertise in gift acceptance, investment management and planned giving.

Minimum initial gift: \$10,000

Example: Avalon Endowment Fund

Scholarship

Scholarship Funds established at the Foundation can support local students attending any college or university in the country. Donors may select specific criteria and express their personal values through a scholarship fund. Scholarship funds may also be established to provide tuition assistance to a specific local private nonprofit grade school or preschool.

Minimum initial gift to start your Scholarship Fund: \$35,000

Example: The Swain Family Scholarship Fund

Gifts in any amount can be made to the WJCC Scholarship Fund (for current year scholarships) or to the WJCC Scholarship Endowment (for future scholarships).



To learn more about starting a fund, contact President & Chief Executive Officer Nancy Sullivan at 757-259-1660 or ncsullivan@williamsburgcommunityfoundation.org

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Designated Fund Agreement

This agreement dated the 7th of May, 2024 is made to establish the **Colonial Behavioral Health Designated Fund** (FUND) This FUND shall be held and administered by the Greater Williamsburg Community Trust (DBA: Williamsburg Community Foundation) (FOUNDATION) a nonprofit community foundation located in Williamsburg, Virginia, as a Designated Fund in accordance with its Certificate of Incorporation and By Laws as the same have been, or may hereafter from time to time, be amended.

The FUND will be charged an annual administrative fee on a monthly basis according to a fee schedule as may from time-to-time be amended by the Board of Trustees.

The FOUNDATION shall make disbursements from the FUND to support the planning, design and construction work to build facilities to be used by Colonial Behavioral Health (CBH), the local Community Services Board serving the citizens of James City County, the City of Poquoson, the City of Williamsburg and York County, to further its mission to facilitate recovery and resiliency of individuals and families affected by mental illness, developmental disabilities, and substance use disorders. Any funds remaining following the construction process may be maintained in the FUND to support the general operations of Colonial Behavioral Health.

Further additions to the FUND can be made at any time and shall be subject to the conditions and understandings set forth above and, in the FOUNDATION'S Operating Policies.

It is understood that if at any time the Board of Trustees should determine that such distributions are unnecessary, incapable of fulfillment or inconsistent with the charitable needs of the community served by the FOUNDATION and/or the purposes of the FOUNDATION, it may, in the exercise of its discretion, direct the FUND's assets, in whole or in part, to the general charitable needs of the community pertaining to behavioral health, developmental disabilities and substance abuse.

It is intended that the FUND shall be a component part of the Greater Williamsburg Community Trust and not a separate trust and that nothing in this Agreement shall affect the status of the FOUNDATION as an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and as an organization that is not a private foundation within the meaning of section 509(a) of the Code. This Agreement shall be interpreted in a manner consistent with the foregoing intention and so as to conform to the requirements of the foregoing provisions of the federal tax laws and any regulations issued pursuant thereto. The FOUNDATION is authorized to amend this Agreement to conform to the provisions of any applicable law or government regulation in order to carry out the foregoing intention. References herein to provisions of the Internal Revenue Code of 1986, as amended, shall be deemed references to the corresponding provisions of any future Internal Revenue Code.

Designated Fund Agreement

David Coe, Executive Director

Sheri Newcomb, CBH Board Chair

Accepted and Agreed:

Alison Lennarz, Chair

Date
