

Donor Advised Fund Agreement

FUND INFORMATION:

A Donor Advised Fund (DAF) allows you to make qualified tax-deductible charitable contributions, and grant from your fund over time. You make contributions to your DAF as frequently as you like and recommend grants when you are ready. Funds held will be pooled and invested until granted.

Preferred Fund Name: _____

All donor advised funds at the Yakima Valley Community Foundation (YVCF) are identified by a unique fund name. Note: the word "Fund" must appear in the title. For example, The Sanchez Family Fund.

ABOUT YOU

The Fund Advisor makes recommendations to the Foundation for grants and is the point of contact with the Foundation. You may designate yourself as an advisor, or you may designate others in addition to or instead of yourself. Once designated, an advisor's status may be revoked in writing by the person who established the Fund. All advisors will receive quarterly fund status reports, grant reports, and standard mailings from YVCF. Please indicate the fund advisors below.

Primary Donor/Fund Advisor: _____ **DOB:** _____

Mailing Address: _____

Street Address

Apartment/Unit #

City

State

ZIP Code

Phone: _____ Email: _____

Preferred method of contact: Email Phone Mail

Alternate Donor/Fund Advisor: _____ **DOB:** _____

Mailing Address: _____

Street Address

Apartment/Unit #

City

State

ZIP Code

Phone: _____ Email: _____

Preferred method of contact: Email Phone Mail

Relationship to Primary Donor/Advisor: _____

I wish to name one or more Successor Advisors and complete the Successor Advisor Addendum

I do not wish to name a Successor Advisor and upon my death and that of any alternative fund advisor(s), I prefer my fund be rolled into the Yakima Valley Community Foundation's Founders Fund for the betterment of my community.

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COMMUNICATION & ACKNOWLEDGEMENT

- Would you like grant recipients to know your Fund is the source of the grant? Yes No
- From time to time, we learn of compelling giving opportunities from our nonprofit partners. Would you like to be notified of these opportunities? Yes No
- May we list your Fund's name in publications? Yes No

INVESTMENT AND DONATION

To establish the fund named above, I/We hereby assign, convey, transfer, and deliver to YVCF the following gift, valued at: \$

- Cash Life Insurance Securities Real Estate Corporate Shares Other

Your Donor Advised Fund allows grant distributions from the entire balance of the fund. However, you may elect to make your fund permanent (endowed) by restricting the amount available for grant distributions to the YVCF's spending policy.

- Non-Endowed Fund (no spend rate)
 Endowed Fund

I authorize \$ _____ or _____ % of the initial contribution amount to be directed to the Yakima Valley Community Foundation as an unrestricted gift.

YVCF offers two investment options: a long-term fund pool (considered our standard investment pool), and an impact investment pool (environmental social governance pool).

Investment preference:

- Long Term Fund Pool
 Impact Investment (ESG) Pool

ACKNOWLEDGEMENT AND SIGNATURE

I have read the Yakima Valley Community Foundation's Fund Terms and Conditions, and I agree to these terms. I understand that any contribution, once accepted by the Foundation, represents an irrevocable contribution to the Yakima Valley Community Foundation.

Primary Donor/Advisor Signature

Date

Alternate Advisor Signature

Date

YVCF President & CEO Signature

Date

Please sign and send the completed agreement to:
Heidi Pelletier, Director of Donor Advising
heidip@yakimavalleycf.org
316 E. Yakima Ave, Suite 201; Yakima, WA 98901
Questions? 509-457-7616

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Terms and Conditions

Tax Status of Funds

Funds established at the Yakima Valley Community Foundation (the "Foundation") are component funds of the Foundation, a section 501(c)(3) public charity. Accordingly, contributions to establish or grow a fund are treated for tax purposes as gifts to a Section 501(c)(3) public charity, and are tax deductible to the fullest extent of the law.

Variance Authority

Funds established at the Foundation are subject to "variance power" as required by tax law and contained in the Articles of Incorporation of YVCF. The variance power provides the discretion to the Board of Directors to modify recommendations or conditions on judgement of the Board of Directors, such recommendation, or condition becomes unnecessary, incapable of fulfillment, or inconsistent with the policies and purpose of YVCF or applicable law.

Distributions

The Foundation anticipates distributions from each fund at least every two years. You may, at the time you create a fund, recommend that your fund be managed as a permanent endowment and be distributed in accordance with the YVCF spending policy or be paid out over a period. You may also specify that no distributions be made until the fund reaches a certain dollar amount.

Spending Policy

YVCF anticipates distributions from each endowed fund will be paid out at least annually of an appropriate percentage of the fund's market value, as determined by the Foundation's Board of Directors. In determining the distribution amount to be annually paid for endowed funds, the Foundation's Board of Directors may consider the expected total return on the fund's investments, the desirability of maintaining the value of those funds, and any other factors that it deems relevant.

Investment of Assets

All assets contributed to funds established at the Foundation are managed in the Foundation's pooled investment program, unless otherwise requested. Minimum fund values are required for investment of assets outside of the pooled investment program. For information about the requirements for using an outside investment manager, please contact YVCF.

Fees

Funds established at the Foundation are subject to administrative and investment fees. The fee schedule which can change over time, is available upon request.

Conflict of Terms

If an inconsistency arises between these terms and conditions, and any terms and conditions appearing elsewhere in connection with any fund, these terms and conditions as interpreted by YVCF shall govern. The Foundation may take any actions at any time which, in its sole discretion, it deems reasonably necessary or desirable for the proper administration of any fund in the Foundation.

Inactive Funds

To consistently distribute charitable dollars to the community, the Foundation will periodically review the grant making activity of all funds. If a fund has failed to make distributions commensurate with the Spending Policy consistently over a two-year period, YVCF staff will contact the advisor(s). Options will be explored and would include grants to section 501(c)(3) public charities of the donor's choice, or grants through the Foundation's community fund. If the advisor(s) cannot be located or are unresponsive, the remaining balance of the Fund will be used to support the Foundation's Community Fund.

Primary Donor

The primary donor is defined as the person who established the donor advised fund ("fund") and is responsible for the initial contribution. If the primary donor is not an active fund advisor, the named fund advisors may advise grant making from the fund. For these terms and conditions, the Foundation will communicate with the primary donor or fund advisor(s) as appropriate.

Fund Advisors

Upon establishing a fund, the primary donor may give one or more fund advisors the authority to access information regarding the fund and make grant recommendations. Fund advisors will be able to access statements on a monthly

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or quarterly basis depending on underlying investments and may request to have statements sent by mail. A primary donor is automatically a fund advisor unless otherwise indicated in writing by the primary donor. A person must be at least 18 years old to serve as a fund advisor.

Appointment of Additional and Successor Advisors

Requests to appoint additional advisors, successor advisors, or to make changes in the fund advisors must be communicated to YVCF in writing. Such requests will be accepted from the primary donor only. Should the fund advisor be deceased, unwilling or unable to serve or cannot be located, and a successor advisor has not been named and there is no written succession plan on file at the Foundation, then the Fund shall be converted to an unrestricted fund, or if the balance of the fund is below the minimum required amount to do so, it shall be transferred to the general endowment of the Foundation.

Funds created by organizations rather than by individuals are often advised by an appointed committee with an identified process for selecting new members. As with funds created and advised by individuals, additional advisors, successor advisors or changes in the fund advisors must be communicated to the Foundation in writing by the organization and/or the appointed committee.

Succession Plans

Primary donors can request a succession plan for their fund after all fund advisors cease to serve. There are many options available, including conversion to a designated, field of interest or unrestricted fund. If no succession plan is given in writing to the Foundation, the fund shall be converted to a named, unrestricted fund, or if the balance of the fund is below the minimum required amount to do so, it shall be transferred to the general endowment fund of the Foundation. All succession plans must be submitted in writing by the primary donor only and are subject to the Foundation's approval.

Making Grant Recommendations

Grants of \$250 or more may be recommended to a qualified 501(c)(3) public charity or private operating foundation in the United States. Grant recommendations are processed within 10 business days of receipt. The Foundation will contact the fund advisor if there is a delay in processing the grant request. Grants will be designated for general operating support unless otherwise noted by the fund advisor. Grant recommendations can be submitted online through donor portal using a user ID and password supplied by YVCF. An unlimited number of grant recommendations can be made, and the online portal provides access to a list of previously approved grants to facilitate grant resubmissions. Alternatively, donors may email or mail a grant recommendation to the Foundation. Fund advisors receive mailed confirmation once grant recommendations have been approved and paid.

Grant Limitations

The Foundation verifies that all organizations recommended for grants are classified as public charities under Section 501(c)(3) of the Internal Revenue Code of 1986, as Amended ("Code") and, if needed, will request documentation from the organization. In the event that a matter of concern should surface, the Foundation will advise the fund advisor prior to releasing the grant. IRS Rules and Regulations do not permit grants from a fund for memberships, sponsorships, tickets or for the fulfillment of a pledge agreement made by a donor, fund advisor or related party. Grants may not be made to individuals and cannot provide a benefit to the primary donor, fund advisor or any family member or related parties. Donors and family members may not receive grants, loans or similar payments from a fund. Any grant that provides personal benefit risks significant penalties to the fund advisor and the Foundation. Fund grants may not go to private non-operating foundations.

Endowed Funds

Endowed funds are also referred to as "permanent" funds. Distributions from endowed funds are limited to our current spending rate and subject to our spending policy. Historically, this has been between 4-5%.

Non-Endowed Funds

Non-endowed funds are also referred to as "non-permanent" funds. The balance of a non-endowed fund is available for spending in part or in whole at any time.

Privacy Policy

The Foundation deeply values its relationship of trust with its donors and fund advisors. The Foundation's Confidentiality Policy governs the maintenance of personal data and provides that the Foundation will not sell, trade or exchange information about its donors or fund advisors and will honor the wishes of those who prefer to remain anonymous in all communication materials.