



Item No. 14 Town of Atherton

CITY COUNCIL STAFF REPORT – REGULAR AGENDA

**TO: HONORABLE MAYOR AND CITY COUNCIL
GEORGE RODERICKS, CITY MANAGER**

THROUGH: ROBERT OVADIA – DIRECTOR OF PUBLIC WORKS

FROM: SALLY BENTZ-DALTON, PARK MANAGER

DATE: APRIL 20, 2022

**SUBJECT: APPROVE THE PARK AND RECREATION OUTDOOR
FACILITIES MEMORIAL AND DONATION POLICY FOR
HOLBROOK-PALMER PARK AND CONSIDERATION OF THE
POLICY TO INCLUDE THE TOWN CENTER**

RECOMMENDATION

Approve the Park and Recreation Outdoor Facilities Memorial and Donation Policy for Holbrook Palmer Park and consideration of the policy to include the Town Center.

BACKGROUND

On January 15, 2008, the Park and Recreation Committee approved and adopted a previous version of the Memorial and Donation Policy for Holbrook-Palmer Park. However, the policy was not approved by the City Council at the time. Since that time, several donations have been made for memorial trees, benches, and other items. Most of the donations have largely followed the prescriptions in the 2008 draft policy.

In November 2021, the Park and Recreation Committee started reviewing the draft Memorial and Donation Policy to update the Policy to specify that donations meet a need of the facility, standardize the acknowledgement of the donated item(s), allow for removal of items under certain conditions, and to update the donation amounts for various items such as trees, benches, and other items. At the April 6, 2022 Park and Recreation meeting the Committee reviewed the draft policy and recommended that the Council consider the policy for approval.

The proposed Policy is presented as recommended by the Committee.

ANALYSIS

The purpose of the proposed policy is to establish guidelines, standards, and procedures for the acceptance, installation, and care of donated park improvements, either as a result of a cash or

physical property donation. This will allow donors to have a clear understanding on how to make donations and how Town staff would administer donations. The proposed Policy does not apply to buildings or building improvements.

The Policy focuses on three types of donations:

1. Monetary donations for a memorial item to be added to the park (trees, benches, seating, fixtures, convenience items).
2. Donation of personal items to the park such as artwork
3. Monetary donations to fund a specific or unspecified project or maintenance in the park.

The Committee is recommending that donations of personal and memorial items be brought to the Park and Recreation Committee for consideration and approval and review of placement. Donations of items with a value greater than \$10,000 would first come before the Committee for review and recommendation to the City Council acceptance. This will allow the Committee and Town staff to approve and manage smaller elements so that the Council can focus on larger donations.

The Committee is recommending that monetary donations to the Park for specific park elements shall be made directly to the Town. The proposed Policy recommends that monetary donations to fund a specific or unspecified project or improvement, in the Park be made to the Holbrook-Palmer Park Foundation. The Committee also recommends that any unused money from a donation be used by the Holbrook-Palmer Foundation to fund new and ongoing projects and/or maintenance in the Park. However, it should be noted that it may not be appropriate for the Town to recommend specific non-profits nor can a Town Policy prescript requirement for donations made to non-profits.

The recommended donation amounts for park elements are listed in Appendix A of the Policy. The Committee is recommending that staff be authorized to update the donation amounts of elements in a reasonable fashion as needed due to inflation costs.

The Committee notes that donation acknowledgements and memorial plaques will be utilized in the cases of donations of benches, picnic tables, trees and park convenience items. This cost is included in the donation amount in Appendix A of the Policy.

Please note that the Committee is also recommending that the Policy apply to Holbrook-Palmer Park and the Town Center. The Town Center and Civic Court are not at this time under the purview of the Park and Recreation Committee. Because the Town Center operates under different programmatic guidance and priorities to be determined by the Town Center Master Use and Opportunities Plan, the Council may wish to restrict the Policy to the Park only.

POLICY FOCUS

The City Council discussion should focus on the desire to establish a formal policy regarding donations for items at Holbrook-Palmer Park, the donation values for various items, and the donation value threshold for acceptance by the Park and Recreation Commission versus the City

Council. In addition, the Council should discuss the highlighted areas of the proposed Policy. The City Council should also provide direction on whether the Policy should apply to the Town Center.

FISCAL IMPACT

The proposed donation schedule is intended to cover the cost of purchasing and installing the various donation items.

GOAL ALIGNMENT

This report and its contents are in alignment with the following Council Policy Goals:

- Goal A – Maintain Fiscal Responsibility
- Goal B – Preserve Small Town Character and Quality of Life
- Goal F – Be Forward-Thinking, Well-Managed, and Well-Planned

PUBLIC NOTICE

Public notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting in print and electronically. Information about the project is also disseminated via the Town’s electronic News Flash and Atherton Online. There are approximately 1,200 subscribers to the Town’s electronic News Flash publications. Subscribers include residents as well as stakeholders – to include, but be not limited to, media outlets, school districts, Menlo Park Fire District, service providers (water, power, and sewer), and regional elected officials.

COMMISSION/COMMITTEE FEEDBACK/REFERRAL

This item X has or has not been before a Town Committee or Commission.

- Audit/Finance Committee (meets every other month)
- Bicycle/Pedestrian Committee (meets as needed)
- Civic Center Advisory Committee (meets as needed)
- Environmental Programs Committee (meets every other month)
- X Park and Recreation Committee (meets each month)
- Planning Commission (meets each month)
- Rail Committee (meets every other month)
- Transportation Committee (meets every other month)
- Tree Committee (meets each month)

ATTACHMENTS

Attachment 1 – Park and Recreation Outdoor Facilities Memorial and Donation Policy

TOWN OF ATHERTON

Park and Recreation Outdoor Facilities

Memorial and Donation Policy

Adopted and approved by the Park and Recreation Committee on [4/6/22].

Approved by the Town Council on [].

Purpose: The purpose of this policy is to establish guidelines, standards, and procedures for the acceptance, installation, and care of donated park improvements, either as a result of a cash or physical property donation. These donations may include but are not limited to: park benches, picnic tables, trees, drinking fountains, statuary and other types of park accessories as well as monuments (by exception only). These items are referred to as “elements” in this Policy.

Acceptable donations are always dependent upon the specific needs of the Town of Atherton, and acceptable donation opportunities can be reviewed with the Public Works staff and the Park and Recreation Committee. The Town desires to encourage donations while at the same time manage aesthetic impacts and mitigate on-going maintenance costs.

Guidelines established by this policy will apply to all donations made after the effective date of this policy. Donations made prior to the adoption of this policy shall be subject to applicable sections of this policy. Standards established by this policy will apply to purchased equipment, installation techniques, donation acknowledgements, and care of all donations made after the adoption of this policy.

Scope: This policy applies to Holbrook-Palmer Park and the Town Center located at 80 Fair Oaks Lane. **This policy does not apply to buildings.**

GUIDELINES FOR EXISTING AND NEW DONATIONS

Definition of an Existing Donation: For the purpose of this policy, existing donations are those donations received and excepted prior to the adoption of this policy.

Maintenance: Maintenance of the landscaping at tree donation sites is the responsibility of the Town. All landscaped sites will be maintained debris-free. Donated Park elements (i.e., benches, tables, etc.) and their associated donation acknowledgement become Town property. Donations made both prior to and following the adoption of this policy are to be maintained by the Town during their useful life spans.

The Town shall be responsible for the maintenance for all items donated to the park. The Town will make every good faith effort to assure that existing donated items are kept in good working order and in the case of a tree, thrives in its new setting. The Town does not, however, make any guarantee that a donated item will last for any given amount of time and does not make any offer to repair or replace these donations following the course of a failure. Park staff may be limited by available resources to perform routine maintenance on donated elements and shall perform maintenance on these elements per their discretion. The Town will remove and dispose of any item deemed a safety hazard by the Director of Public Works or Public Works staff without notification or restitution to the donor of an item.

POLICY FOR NEW DONATIONS

Definitions of New Donations: New donations are those made after the adoption of this policy. Each donation will fall under one of three category types:

1. Donation of personal items to the park such as artwork
2. Monetary donation for a memorial item to be added to the park (trees, benches, seating, fixtures, convenience items).
3. Monetary donations to fund a specific or unspecified project or maintenance in the park.

POLICY

Requirements for Accepting Donations or Gifts

1. The donation or gift must have a purpose consistent with the Atherton Park and Recreation Committee goals and objectives.
2. The Atherton Park and Recreation Committee may decline any donation or gift without comment or cause.
3. The donation or gift will not conflict with any provision of the law.
4. Any non-cash donation or gift will be aesthetically acceptable to the Committee.
5. The donation or gift will not add to the Park's workload unless it provides a net benefit to the park.
6. The donation or gift will not bring hidden costs such as starting a program the Town would be unwilling to fund when the donation is exhausted.
7. The donation or gift places no restriction on the Town or the Holbrook-Palmer Park **Foundation**, unless agreed to by the **Foundation** and the City Manager or Council.
8. All donations or gifts will receive recognition appropriate to the level and nature of the donation, as determined by the Town. For those of a capital nature, that may be in the form of signage, marking, naming, or any other means the Town should deem appropriate. Regardless of the recognition strategy selected, the intent shall be to appropriately honor the donor for their contribution to the community. The appearance of traditional commercial advertising shall not be approved.
9. Donations of personal and memorial items will be brought to the Park and Recreation Committee for approval and placement. Donations of items greater than \$10,000 will be brought to the Park and Recreation Committee **for approval** and then the Atherton Town Council for final acceptance.
10. All information regarding a donor or donors and their respective donation(s) or gift(s) are public information and are subject to disclosure pursuant to the California Public Records Act.
11. All donated items will become the property of the Town of Atherton at the time of purchase. **Any unused money from a donation will be used by the Holbrook-Palmer Foundation to fund new and ongoing projects and/or maintenance in the park.**

12. The Town assumes no liability as to the condition or useful lifespan of donated elements.
13. The Town reserves the right to remove, replant or repurpose any donated item for a project deemed “for the good of the park” without notification or restitution to the donor of an item.

Monetary donation for a memorial item: The Town and the community have an interest in ensuring that park elements purchased and installed be of high quality related to style, appearance, durability, and ease of maintenance. Donated Park elements must be of high quality to ensure a long life, be resistant to the elements, wear, and tear, and to acts of vandalism. Donations of items not purchased by the Town are subject to the acceptance by the Park and Recreation Committee as to their useful condition, suitability in the park and maintenance requirements.

Monetary donations for the purpose of purchase and installation of a specific appurtenance or tree in the park need to comply with the following donation schedule in Appendix A. Please note that the cost of items may go up due to inflation. Staff will update the cost of elements in a reasonable fashion as needed.

Monetary donations to fund specific or non-specific projects or improvements in the park, separate from the donation of specific elements for the park. The Holbrook Palmer Park Foundation, which has developed and funded many improvements to the park, continues to be willing and able to accept monetary donations of any amount both for planned projects in the park and for unspecified projects and improvements it will develop in the future as sufficient funds are raised.

Appearance and Aesthetics: The Town and the community have an interest in ensuring the best appearance and aesthetic quality of their public facilities. Park elements and/or their associated donation acknowledgements should reflect the character of the park or facility. All park elements will be installed in such a manner that will not substantially change the character of a facility or its intended use.

PROCEDURE FOR MAKING A DONATION

All monetary donations to the park for specific park elements shall be made directly to the Town. Once a donation is approved by the Park and Recreation Committee, a formal request will be issued to the Public Works Department to purchase and install the item, and the work will be carried out by staff. As noted above, monetary donations to fund a specific or unspecified project or improvement based on the staff’s schedule, in the park shall be made to the Foundation to be used to fund its new and ongoing projects in the park.

Application: Applications are available through email or in person at the Towns Administration counter located at 80 Fair Oaks Lane, Atherton, Ca. 94027. For a donation to be considered, the donor must complete the application form (see Appendix B). Payment will be made to the Town of Atherton for review, processing and

acceptance by the Park and Recreation Committee.

CRITERIA FOR ACCEPTANCE

Park Site Plan:

To accept donation of a park element, the donation must 1) meet a need of the facility, and 2) not interfere with the intended current or future use of the facility. Park benches, picnic tables, trees, drinking fountains, and playground components shall be sited in locations approved by the Park and Recreation Committee. **In the opinion of the Town and/or Park and Recreation Committee, a facility or area of the park may be determined to be fully developed and the opportunity for donations would not be available, at that site.**

Donation Acknowledgements/Memorial Plaques:

Donation acknowledgements/memorial plaques will be utilized in the cases of donations of benches, picnic tables, trees and park convenience items. Donation acknowledgements and memorial plaques, as approved by the Park and Recreation Committee, are where feasible to be directly affixed to the donation and are to be purchased by the Town. Donation acknowledgements/memorial plaques will be of a standard size and material as determined by the Park and Recreation Committee. The Park and Recreation Committee will approve all text for donation acknowledgements/memorial plaques.

Acknowledgements and/or memorials may be limited to a maximum of three lines, and donors may choose from the following acknowledgement/memorial language: "Donated by _____," "In memory of _____," or "Dedicated to _____."

The Town is under no obligation to notify donors or their families when a donated element needs to be taken out of service due to damage, life expectancy or park needs.

TREES

The size, species and location of a donated tree (or trees) shall be limited to those determined by the Park and Recreation Committee and Park Manger. Trees will only be accepted for areas that have active irrigation systems in place unless the cost for addition of such facility is included in the donation. The option for a tree is a standard versus a specimen. There is also the option to donate for a 15 gallon or 24" box size tree. There may be an additional cost to plant a 24" box size tree.

MONUMENTS

Other memorials, plaques, and upright monuments or monuments resembling those typically found in cemeteries may not be installed at a Town Park facility. Exceptions to this policy are monuments and plaques commemorating the history and/or dedication of a park facility and funded by a donor that are approved by the Town.

OTHER DONATIONS

There may be additional donations possible other than those listed or contained within this policy. Other donations are subject to a review and approval by the Park and Recreation Committee and if over \$10,000 approval by Town Council. The donor shall bring any donation proposal to the Park and Recreation Committee for review and approval.

CONDITIONS

Installation: The installation will be scheduled at a time and date as determined by the Public Works Department so as not to unnecessarily interfere with routine park maintenance activities.

Removal and/or Relocation: This section applies to both existing and new donations. The Town reserves the right to remove and/or relocate donated park elements and their associated donation acknowledgements/memorial plaques without notification or restitution to the donor of an item.

ATTACHMENTS

Appendix A: Approved List of Donation Needs/Memorial and Donation Fee Schedule

Appendix B: Memorial and Donation Application

Adopted and approved by the Town of Atherton Park and Recreation Committee on _____ 2022.

Appendix A

APPROVED LIST OF DONATION NEEDS/MEMORIAL AND DONATION FEE SCHEDULE	
<u>DONATION TYPE</u>	<u>ELEMENT AND INSTALLATION COST *</u>
Park Bench Recycled plastic planks or natural wood	\$2,700
Picnic Table Recycled plastic planks	\$3,200
Drinking Fountain ADA	**
Tree (Common) 15 gallon	\$3,000
Tree (Specimen) 15 gallon	\$3,500
Tree (Common) 24" box *May also include cost of planting	\$4,000
Tree (Specimen) 24" box *May also include cost of planting	\$4,500
Bike Rack	**
Play Equipment (recycled)	**
Other Park element	**

Costs include shipping, handling, plaque, and installation.
**** Price will be provided upon request, pending size and location.**



**TOWN OF ATHERTON
PARK & RECREATION COMMITTEE
MEMORIAL & DONATION APPLICATION**
Appendix B

Town of Atherton
80 Fair Oaks Lane
Atherton, CA 95007
650-752-0500

(To be completed by applicant, please print legibly)

Applicant Information:

Name of Donor	
Address of Donor	
Home Phone	Work Phone
Email Address	

Donation Information:

Description of Donation
Requested Location of Donation
Wording on Memorial Acknowledgement
Type of Donation
Total Cost of Donation (Includes purchase, tax, shipping, and installation)

I have read and agree to the terms of the Town's Memorial and Donation Policy

Donor	Date
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To be completed by Town staff

Reviewed by Parks Manger	Date
Park & Recreation Committee Approval	Date