

CITY COUNCIL AGENDA COVER-SHEET

From: Nancy Batchelder, City Recorder

- Regular Meeting Agenda Item Work Session Discussion Topic
- o Add to agenda for _____ meeting.
 - o Continue this item until _____.
 - o Item dismissed.

DATE: January 28, 2016

Title: Recommendation from Parks and Commons Commission: Amenity & Tree Donation

Item:

At the June 2015 Parks and Commons Commission Meeting Parks and Commons Commission meeting they discussed three benches that needed to be replaced in the playground and park area.

Commission Chair, Don Niskanen said that when the original benches were installed the people making the donation were only asked to give enough to cover the cost of the bench and the plaque.

Svendsgaard said that she does not believe the City should be responsible for replacement of those benches for all time.

It was suggested that the City Council should be asked to discuss this at their next meeting.

Although the benches in the park pre-dated the donation recognition policy, the current policy states: **The City of Yachats is responsible for maintenance and repairs of facilities, and must consider replacement costs for plaques and other forms of acknowledgement subject to damage when developing on-site recognition.**

The policy only covers the recognition – not necessarily the actual structure on which the plaque is placed.

It was noted that the three benches that needed to be replaced were damaged by the City crew and/or contractor working on the playground improvements, so the City would be replacing them. However, it may be necessary to amend the Donation Recognition Policy to include language about replacement of such items as benches.

At the August City Council Work Session the Council discussed the request from the Parks and Commons Commission. At that time, Don Niskanen, Chair of the Parks and Commons Commission explained that when the Community Garden Task Force was working on the park the donors were only charged for the original bench and the plaques. Nothing was received for maintenance or replacement.

Brean said that the City would have built those benches for the park anyway, without the donations so those are City benches and should be replaced by the City.

Brean said that he believes it is time to move forward with the creation of an endowment fund to maintain any future donated facilities and acknowledgements.

Niskanen suggested that the Parks and Commons Commission discuss this at their next meeting and make a recommendation to City Council regarding a modified policy.

So, the City Council requested that the Parks and Commons Commission work on modifications to the current policy.

At the December 17, 2015 Parks and Commons Commission Meeting, Lauralee Svendsgaard submitted the attached draft for an Amenity and Tree Donation Policy, which the Commission voted to forward to the City Council for adoption.

However, the Current Donor Policy covers more than just the Parks and Commons since it refers to the Library and Museum as well and therefore the Parks and Commons Commission would not be the appropriate Commission to oversee those donations.

The City Council will need to decide if they wish to:

- Incorporate the recommended Amenity and Tree Donation Policy into the Current Donor Recognition Policy in some way; or
- Replace the Current Donor Recognition Policy; or
- Have a small group work to finalize a policy statement that combines both, and includes the established plans and locations referred to in the Amenity and Tree Donation Policy recommended from the Parks and Commons Commission.

Attachments:

Current Donor Recognition Policy
Draft Amenity & Tree Donation Policy as Recommended by the Parks and Commons Commission (10.29.15)

CITY OF YACHATS

ADMINISTRATIVE POLICY NO. 5 YACHATS DONOR RECOGNITION POLICY

Introduction

The City of Yachats values the widespread public support of individuals, foundations, corporations, non-profit organizations, service clubs, and other entities and seeks to provide appropriate recognition of this support.

Contributions may be made for a variety of purposes - to honor individuals or groups, as memorials or for altruistic purposes to further the aims of the City's Parks, Commons, Library and Museum programs. It shall be the City's policy to take into account the resources, function, and the experience for which various facilities are maintained when considering the appropriateness of the method of donor recognition.

Guiding Principles

The following basic principles form the basis for the Recognition Guidelines:

- The City of Yachats and staff appreciate gifts and memorials for the City's Parks, Commons, Library and Museum and the contribution those gifts make in furthering the purpose for which these facilities have been established.
- In all forms of recognition, the donor's wishes for anonymity shall be respected.
- It is generally preferable to express appreciation for contributions directly to the donors or sponsors rather than by forms of recognition to be displayed on City buildings or in parks.
- Recognition of corporate donations or sponsorships must not in any way suggest the endorsement of the City of Yachats, nor give the impression of advertising, commercialization or solicitation, or of a proprietary interest in the facility.
- Recognition shall not interfere with routine City operations or use.
- The City of Yachats is responsible for maintenance and repairs of facilities, and must consider replacement costs for plaques and other forms of acknowledgement subject to damage when developing on-site recognition.

Forms of Recognition

Off-Site Recognition

Thank You Letters—Every donor shall receive a letter of appreciation from the Chairperson of the appropriate Commission. Depending on the nature and significance of the gift, it might be appropriate to have a thank you letter also sent to the donor from the City Council and Mayor. In many cases, this might be all that is required. It should acknowledge the gift, the donor, date of acceptance and, for a monetary donation, the dollar amount. The thank you letter shall also serve

as evidence of the gift for the donor's tax records. As such, it should completely describe the gift. It should not, however, attempt to value the gift.

On-Site Recognition

Temporary Signs—Temporary signs (such as those used to acknowledge donors during construction activities or restoration of a structure or site, or to recognize a sponsor's financial support for a contract period) should be informational, of appropriate design and scale, and make clear that the City of Yachats is recognizing the donation. They should inform readers and might contain a brief message about the nature of the project and the support provided by the donor. The signs should be sturdy, constructed of high quality materials, consistent with the design of other city signs, professionally done and in keeping with appropriate design standards. Signs shall comply with Municipal Code Standards and shall not exceed four (4) square feet. The donor's name and corporate logo (if any) may be used if they are subordinate to the sign's message.

Temporary recognition signs may be left in place only for the contract period, or in the case of "construction" signs, for no more than six months beyond completion of the actual work on the project.

Recognition Boards/Walls

The appropriate Commission or City Council may approve the placement of donor boards or donor walls within City buildings, provided the boards or walls are not the first thing a visitor observes when entering the building, are subordinate to the primary function of the facility, and are consistent with professional design standards. Approval by the Commission or City Council will include setting the time for display of recognition. For example, temporary displays, such as "goal thermometers," might be appropriate for the life of a specific capital campaign while longer-term boards and walls might be appropriate for significant gifts.

Permanent Plaques

With the exception of preexisting donor programs, permanent plaques are to be considered carefully and should only be used to recognize significant monetary or public service contributions to the City of Yachats.

Endowments

Perhaps the surest way for a donor or sponsor to achieve long-term recognition is through an endowment. Endowments can be established to provide a permanent source of annual funding to support a variety of park and programmatic needs. The establishment of an endowment should be considered for inclusion in any major fundraising campaign to provide for future operations, maintenance and repair costs, especially those associated with major capital improvements.

Entities wishing to endow should be encouraged to enter into discussions with the appropriate Commission or City Council to determine the provisions and limitations of the endowment.

Amenity & Tree Donation Policy
Draft 10.29.15

Purpose: The Amenity & Tree Donation Policy establishes guidelines and fees for the donation of park and trail amenities, trees, plaques and other items, generally referred to as "Gifts." The Policy also establishes the authorization process for the placement of Gifts. Unless specially exempted by the Commission or the City Council, under no circumstances shall the Gift, its purchase, installation, maintenance, repair or other costs incurred throughout the life of the Gift, be at citizen or tax payer expense.

Oversight: The Yachats Parks & Commons Commission ("Commission") is responsible for reviewing requests for Gift donations to the City of Yachats. The Commission may reject, suggest changes, or accept donation requests. Requests accepted by the Commission will then be forwarded to the City Council for consideration and possible final approval.

The Commission is essentially charged with ensuring that the donation is suitable and compatible with the character of Yachats; and that fees collected for the Gift will fully cover the cost of the gift for its duration, including administrative overhead, and routine maintenance. The Commission's assessment will consider the suitability of the item, the appropriateness of the location, maintenance factors and costs, along with any other factors involving the Gift. Every effort should be made to apply unique and artful designs in creating the Gift, with encouragement in the use of artists local to the general area.

The approval of Gifts are at the full discretion of the Yachats Parks & Commons Commission and the City Council.

Memorial benches and other amenities

The Commission has established **locations** for the possible placement of benches, picnic tables, interpretive panels, birdbaths, kinetic art and other outdoor amenities on City property and rights-of-way. Preference will be given to those offering donations in those specific sites. However other locations may be considered.

Memorial trees

The Commission has established locations for the planting of trees on City property. The selected locations also include the specie of tree that may be planted in that specific location. The City will maintain donated trees.

Signage and plaques: Signage or plaques indicating the commemorative nature of the memorial or other remembrances may be placed on an amenity upon prior approval as cited above. Tree signs will require the same approval, however in no instance may a sign be placed on a tree in a manner that compromises the health or

life of the tree. Signs or plaques will be left in place for 10 years or until they are no longer visually attractive.

Term

The acceptance of Gifts (amenities, trees, signage and plaques) will generally be on the basis of a **10-year term** commencing on the date of installation. During the term, the City agrees to maintain typical wear and tear of the Gift. At the end of the 10-year term, and upon 10-year increments thereafter in perpetuity, the donor may seek Commission approval to extend the term for an additional 10-years. Terms may not be longer than 10-years, and the renewal of the 10-year term must be made by written request or in person before the Commission.

At the end of each 10-year term, if no request for renewal of the term is made, the Commission may, at its full discretion, leave or move the amenity if in good repair, repair the amenity as appropriate at donors expense, or remove the amenity with no further obligation to the donor.

Fees

Fees to be paid by the donor of each Gift will be charged as follow:

- A. Actual cost of acquisition and installation
- B. Estimated 10 year maintenance assessment
- C. General administrative/endowment contribution of 10% to the total of A+B.

Fees B (maintenance assessment) and C (general administrative/endowment contribution) are payable upon the City Council's approval of the request.

Should the maintenance of the Gift (Fee "B" above) exceed the estimate during any 10-year term, the donor will be held responsible for the costs of repair or restoration.

Fees for the approval of all extensions of term will require an estimate of maintenance costs for the term, plus 10% of the maintenance cost for general administration.

The Commission may, at its discretion, adjust the administrative/endowment contribution rate.