

TOWN OF MORAGA

Parks and Recreation Outdoor Facilities

Memorial and Donation Policy

Adopted and approved by the Parks and Recreation Commission on January 15, 2008.

Approved by the Town Council on March 12, 2008. AND BY RESOLUTION ON 9/10/08

Purpose: The purpose of this policy is to establish guidelines, standards, and procedures for the 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, bicycle racks, picnic tables, monuments (by exception only), drinking fountains, and other types of park accessories. Acceptable donations are always dependent upon the specific needs of the Town of Moraga, and an updated list of acceptable donation opportunities is maintained by the Parks and Recreation Department. 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 long-term care of all donations made after the adoption of this policy.

Scope: This policy applies to all Town-owned land and facilities located within the scenic corridor of the Town of Moraga. More specifically, this policy applies to the Moraga Commons, Rancho Laguna Park, the Hacienda, Town Offices located at 329 Rheem Boulevard, and the Moraga Library. *This policy does not apply to buildings or land, it does not include trails, and it specifically excludes Open Space Preserves.*

GUIDELINES FOR EXISTING DONATIONS

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

Appearance and Aesthetics: Decoration, ornamentation, and adornment of donated elements can interfere with routine maintenance and the appearance of the donated item if not cared for on a regular basis and installed properly. Nothing shall be hung or tied to trees. Because landscaping installed in and around picnic tables and benches can be trampled, landscaping shall not be done around site furniture. Decorations which may be allowed on a temporary basis for a limited time should not interfere with the use of nearby public space, nor represent a hazard to motorists, bicyclists, or pedestrians. The donor shall remove any temporary decorations within a reasonable amount of time as they can weather and become unattractive and detract from the image of the community.

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.) become Town property. Donations made previous to the adoption of this policy are to be maintained by the Town during their salvageable life spans.

STANDARDS FOR NEW DONATIONS

Definitions of New Donations: New donations are those made after the adoption of this policy.

Acquisition or Purchase: 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. The Town staff will be responsible for the purchase and installation of all park elements.

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.

Maintenance: Donated park elements, and/or their associated donation acknowledgements, become Town property. Accordingly, the Town has the duty to maintain the donation only for the expected life cycle of the donation. If current information is on file, the donor will be informed and given the opportunity to take further action at the expiration of the original life cycle. Donated park elements are to be of recycled content whenever possible.

Repair: The community has an interest in ensuring that all park elements remain in good repair. In addition, the public has an interest in ensuring that the short and long-term repair costs are reasonable. Repair parts and materials must be readily available. 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.

Cost: The Town has an interest in ensuring that the donor covers the full-cost of the purchase, installation, and maintenance during the expected life cycle of donated park elements. A separate fee schedule is maintained in which the Town will detail costs for donations, installation, and maintenance (see Appendix A). The Town also has an interest in ensuring that on-going maintenance costs do not negatively impact the resources available for maintenance of other Town park facilities. Consequently, the Town will assess, at the time of purchase, a charge sufficient to cover anticipated on-going maintenance of donated park elements during their life expectancy. The fee schedule will be adjusted to align with the CPI on an annual basis.

PROCEDURE FOR MAKING A DONATION

The Town's Parks and Recreation Department will manage all donations located on Town park property, with the assistance of the Parks Maintenance Operations staff.

Application: The donor must contact the Parks and Recreation Department to determine whether a donation may be accepted based upon criteria contained in this policy. If a donation can be accepted, the donor will complete an application form (see Appendix B). Applications are available through the mail or in person at the Parks and Recreation Department. Completed applications and payment will be made to the Parks and Recreation Department for review and processing.

CRITERIA FOR ACCEPTANCE

Park Site Plan: To accept donation of a park element for a specific park facility, a park site plan must exist showing the available locations for park elements (see Appendix C). If no plan exists, then a donation may be made to another facility. If a plan exists, but does not identify a particular park element proposed for donation, the Town may accept the donation under certain conditions. Under this circumstance, the donation must 1) meet a true need of the facility, 2) not interfere with the intended current or future use of the facility, and 3) not require the relocation of other equipment or infrastructure to accommodate the donation. In the opinion of the Town, a facility

may be determined to be fully developed and the opportunity for donations would not be available.

Donation Acknowledgements/Memorial Plaques: Donation acknowledgements/memorial plaques will be utilized only in the cases of donations of benches, picnic tables, and large play structures. Donation acknowledgements and memorial plaques, as approved by the Town, are to be directly affixed to the donation and are to be purchased through the Town. Donation acknowledgements/memorial plaques will be of a standard size (2.5 inches by 6 inches) and material established by the Town of Moraga. The Parks and Recreation Department will approve all text for donation acknowledgements/memorial plaques and will purchase these items from a Town-approved vendor to ensure highest quality, life, and durability. Acknowledgements and/or memorials are limited to a maximum of three lines, and donors may choose from the following three acknowledgement/memorial options: “Donated by _____,” “In memory of _____,” or “Dedicated to _____.”

No memorial plaques will be installed for tree donations.

Notification: These criteria are requirements for both existing (at the expiration of its life-cycle period) and new donations. It shall be the responsibility of the donor to provide the Parks and Recreation Department with a current address for purposes of notification regarding their donation. For the purposes of notification, the Town will attempt to send a certified letter to the donor, notifying the donor of changes related to the status of the donation (i.e. a need to remove, relocate, or comply with conditions set forth in this policy).

PARK BENCHES, BICYCLE RACKS, PICNIC TABLES, AND DRINKING FOUNTAINS

Park benches, bicycle racks, picnic tables, drinking fountains, and playground components may be sited in locations approved by the Parks and Recreation Department in accordance with an available site plan (see Appendix C). Items donated become Town property at the time of purchase.

TREES

Landscaping and plant selection for park facilities is critical. Accordingly, the size and specie of a donated tree (or trees) shall be limited to those determined by the Town. Trees will only be accepted for areas that have active irrigation systems in place.

MONUMENTS

Other memorials such as but not limited to, 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 installed by the Town commemorating the history and/or dedication of a park facility. Individuals interested in memorializing loved ones are encouraged to avail themselves of the opportunity to purchase a brick, or bricks, as part of the Heritage Walk, located in the Moraga Commons. Information about this program can be obtained from the Parks and Recreation Department.

OTHER DONATIONS

There may be additional donations possible other than those expressly listed or contained within this policy. The Town may accept those donations subject to a review by the Parks and Recreation Commission. The Town may, at its discretion, bring any donation proposal to the Parks and Recreation Commission for review and approval.

CONDITIONS

Installation: Installation of donated park elements, including the donor acknowledgement/memorial plaques, will be completed by Town personnel. The installation will be scheduled at a time and date as determined by the Parks and Recreation 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, when they interfere with site safety, maintenance, or construction activities. In accordance with previously stated procedure in this policy, the Town will attempt to send a certified letter to each identifiable donor notifying the donor of any action related to the disposition of the donation. In certain circumstances, such as safety or emergency situations, the notification may be made after the action is taken. In the event a donation must be permanently removed, the Town will seek an alternative location consistent with this policy. If no such location can be found, the information contained on the acknowledgement/memorial plaque may be, at the donor's request, transferred to a brick in the Town's Heritage Walk.

MAINTENANCE AND REPAIR

The long-term care and maintenance of donated park elements is important to both the donor and the Town.

Life Cycle Care Fund: The establishment of the Life Cycle Care Fund ensures that the Town will care for the donation for the estimated life of the donation, or until such time the Town determines that the memorial donation must be removed and /or relocated due to unforeseen circumstances. The establishment of a Life Cycle Care Fund applies to all donated park elements installed after the adoption of this policy.

The fund is established with the intent of providing a regular revenue source dedicated and sufficient to reasonably maintain future donations for the duration of their expected life cycle. The cost of a donation will include the cost of purchase, installation, and the estimated cost of sufficient maintenance based upon the expected life cycle for a donated item. The expected life cycle, routine maintenance, and element costs are identified in a separate schedule found in Appendix A. This schedule is maintained administratively and may be modified from time to time to ensure that sufficient resources are available to maintain donations. Accordingly, the Town will determine the level of maintenance required for the donated property based upon available budget funding and the type of care needed to reasonably maintain the donation.

At the end of the life-cycle term, the donor may choose to extend the life-cycle term by paying for the current value of a new donation and its associated maintenance cost. The Town reserves the right to seek a new donor for the donation at the end of the established life cycle should the original donor choose not to renew the donation or if the Town has not been able to contact the original donor.

ATTACHMENTS

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

Appendix B: Memorial and Donation Application

Appendix C: Park Site Plan
