



**Item No. 15  
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: MAY 18, 2022**

**SUBJECT: APPROVE THE PARK AND RECREATION OUTDOOR  
FACILITIES MEMORIAL AND DONATION POLICY FOR  
HOLBROOK-PALMER PARK**

**RECOMMENDATION**

Approve the Park and Recreation Outdoor Facilities Memorial and Donation Policy for Holbrook Palmer Park.

**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 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 draft policy was presented to the City Council at the April 20, 2022, meeting for review and feedback. The Council generally supported the proposed policy and wanted it to solely cover donations at Holbrook-Palmer Park. The Council also provided feedback on some textual changes and discussed tree donation sizes (potential elimination of 15-gallon trees and the addition of larger tree sizes) as well as dollar thresholds for acceptance by the City Manager and by the City Council.

## **ANALYSIS**

Following the Council meeting, staff provided the Council's feedback to the Park and Recreation Committee at their the May 4, 2022 meeting. Staff incorporated Council's feedback and the Committee provided additional edits and recommended that the updated draft policy be brought forth to the City Council for consideration.

The updated draft Policy focuses on two 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

Significant updates to the policy are as below:

- Monuments have been taken out of the policy.
- The policy only covers Holbrook-Palmer Park and does not refer to the Town Center.
- The Policy refers to the Foundation for informational purposes regarding their willingness to accept donations to fund improvements in the park.
- Pursuant to direction by the Council, staff included the cost of, 24", 36", 48" and 60" box trees in Appendix A. The donation amounts include maintenance for five years.

The Council discussed the donation value that could be accepted by the City Manager and the value that would need to go before the Council for acceptance.

The Park and Recreation Committee recommended that donations of personal and memorial items be brought to the Park and Recreation Committee for recommendation and review of placement. The Park and Recreation Committee initially recommended that donations of items with a value greater than \$10,000 first come before the Park and Recreation Committee for review and recommendation to the City Council for acceptance. This would allow the Committee and Town staff to approve and manage smaller elements so that the Council can focus on larger donations. Staff recommends that the City Manager be authorized to accept donations up to \$7,500 value, which would include tree donations up to a 48" box. Donations of 60" box trees would come before the Council for acceptance.

Staff has also received feedback from the Committee to retain the option of a 15-gallon tree, valued at \$3,300.

### **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.

### **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 City Council on [    ].*

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**Purpose:**

The purpose of this Policy is to establish guidelines, standards, and procedures for the acceptance, installation, and care of donated park improvements, received as 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. These items are referred to as “elements” in this Policy.

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

Guidelines established by this Policy 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 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. **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 donations received and accepted 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 maintained by the Town during their useful life spans.

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 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 their 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**

**Definition of New Donations:**

New donations are those made after the adoption of this Policy. Each donation will fall under one of two 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).

**Requirements for Accepting Donations or Gifts:**

1. The donation or gift must have a purpose consistent with Town goals and objectives.
2. The Town 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 must be aesthetically acceptable to the Town.
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, unless agreed to by 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. Recognition 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. All donations of personal and memorial items shall be reviewed by the Park and Recreation Committee for a recommendation on acceptance and placement. The City Manager may accept donations of \$7,500 or less; however, the City Manager, in his/her discretion, may refer such items to the City Council for consideration of acceptance. Donations that are greater than \$7,500 shall be reviewed by the Park and Recreation Committee for consideration of a recommendation to the City 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 at the time of acceptance.
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 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 Town 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/Non-Specific Projects or Improvements:**

The Holbrook Palmer Park Foundation, which has developed and funded many improvements to the park, is a separate 501(c)(3) non-profit organization that will accept monetary donations of any amount both for planned projects in the park and for unspecified projects and improvements to be developed in the future as sufficient funds are raised.

The Town may also accept earmarked monetary donations for future planned projects.

All donations to the Park Foundation and the Town are tax-deductible to the extent allowed by law.

**Appearance and Aesthetics:**

The Town and 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 for specific park elements shall be made directly to the Town. Once a donation is accepted, 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.

**Application:**

Applications are available through email or in person at Town Offices 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.

**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 Town. The Town reserves the right to determine that specific areas are fully developed and the opportunity for donations to such areas may not be available.

**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 Town, are where feasible to be directly affixed to the donation and are to be purchased by the Town.

Donation acknowledgements and memorial plaques will be of a standard size and material as determined by the Town. All text for donation acknowledgements/memorial plaques must be approved in advance by the Town. 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 \_\_\_\_\_”
- “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 Town. 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. Trees may be donated as standards or specimens. The cost for a tree includes maintenance for up to 5 years.

**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. Donors may bring any donation proposal to the Park and Recreation Committee for consideration.

**CONDITIONS**

**Installation:**

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**

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

**Appendix B:** Memorial and Donation Application

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Appendix A

<b>APPROVED LIST OF DONATION NEEDS/MEMORIAL AND DONATION FEE SCHEDULE</b>	
<b>DONATION TYPE</b>	<b>ELEMENT AND INSTALLATION COST</b>
Park Bench Recycled plastic planks or natural wood	<b>\$2,700</b>
Picnic Table Recycled plastic planks	<b>\$3,200</b>
Drinking Fountain ADA	<b>**</b>
Tree (Common) 15 gallon	<b>\$3300</b>
Tree (Specimen) 15 gallon	<b>\$3400</b>
Tree (Common) 24" box	<b>\$3600</b>
Tree (Specimen) 24" box	<b>\$3700</b>
Tree (Common) 36" box	<b>\$4700</b>
Tree (Specimen) 36" box	<b>\$5100</b>
Tree (Common) 48" box	<b>\$6500</b>
Tree (Specimen) 48" box	<b>\$7,200</b>
Tree (Common) 60" box	<b>\$10,000</b>
Tree (Specimen) 60" box	<b>\$11,600</b>
Bike Rack	<b>**</b>

<b>APPROVED LIST OF DONATION NEEDS/MEMORIAL AND DONATION FEE SCHEDULE</b>	
<b>DONATION TYPE</b>	<b>ELEMENT AND INSTALLATION COST</b>
Play Equipment (recycled)	**
Other Park element	**

**Costs include shipping, handling, plaque, installation, and maintenance. Box tree costs include tree maintenance for 5 years.**  
**\*\* Price will be provided upon request, pending size and location.**



**TOWN OF ATHERTON  
MEMORIAL & DONATION APPLICATION**  
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 Park Manger	Date
Park & Recreation Committee Recommendation	Date