

# LONGVIEW PARKS AND RECREATION DEPARTMENT

## DRAFT DONATION/GIFT/MEMORIAL ACCEPTANCE POLICY

### INTRODUCTION

Donations are important to the vitality of the City of Longview and its mission to preserve, enhance and strengthen the quality of life in the community. The City of Longview Parks and Recreation Department welcomes and encourages donations from private individuals and entities that support the programs and services the Department and its Advisory Board provide to the public.

Donations and gifts to the City of Longview Parks and Recreation Department may be made in any amount to aid or benefit the services and facilities provided by the Department. Gifts may be designated for a specific program, park, or purpose. Gifts may also be unrestricted in which case they will be dispersed to the area of greatest need at the sole discretion of the Department and the Advisory Board.

The following document defines and establishes a process for accepting gifts and donations along with celebrating and commemorating events or lives of individuals who have lived in Longview or significantly contributed to the City. This policy covers all monetary, property, endowment, and memorial donations. This policy does not cover signage, display boards, banners or public artworks. Donations of artworks should be submitted to the Longview Visual Arts Commission through the Parks and Recreation Department.

### PURPOSE

To establish policies and procedures for considering proposals, accepting, and receiving gifts and donations along with applicable recognition requests.

### DEFINITIONS

For the purposes of this policy, the following definitions will apply:

- **City:** Municipal Government of the City of Longview, Washington
- **Department:** Longview Parks and Recreation Department (LP&R)
- **Director:** Director of Longview Parks and Recreation
- **Advisory Board:** A Council appointed committee whose functions include, but are not limited to, review and recommendation to the Director on acceptance or rejection of gifts, Donor requests, and recognition offered to the Parks and Recreation Department.
- **Donor:** Private, for-profit company, non-profit organization, or public agency wishing to donate funds or objects to the City.
- **Gift/Donation:** A item or service of any value given to LP&R directly or indirectly from an external source.
- **Plaque:** A small flat tablet of metal, stone, or other appropriate material which includes text and/or images which commemorate a person or an event and/or provide historical text or information relevant to its location. For major donations from organizations, such as playground equipment, the plaques may be larger and include the logo and additional text.

- **Memorial:** A monument, statue, memorial, plant material, or other structure or landscape feature designed to recognize, in a long-term manner the memory of a person, group, event, or other significant element of history.

## POLICY

It is the policy of the Longview Parks and Recreation Department:

1. To encourage and facilitate public and private gifts, bequests, and such contributions that enhance, beautify, improve, supplement, support, or otherwise benefit the parks and recreation system.
2. To accept only those gifts, park improvements, and Donor recognitions that are consistent with the gift and donation guidelines listed in Appendix A as well as Department mission, policies, park property restrictions, park master plans, and the most current comprehensive parks and recreation plan approved by the Department staff and the Advisory Board.
3. To accept only those gifts, park improvements and Donor recognitions given with no contingencies and the full understanding that they become the property of the City and are subject to the laws, ordinances, resolutions, policies and procedures that govern the Department.
4. To enter into a written Donation and Gift Agreement with the Donor, where appropriate and advisable, that specifies the terms of any restricted gift, which may include provisions regarding maintenance, life span, and Donor recognition.
5. To control and manage the placement, spacing, location, and number of memorials.
6. To accept only gifts with the knowledge that the Department is in no way obligated to replace the gift or park improvement if it is stolen, vandalized, worn out, irreparably damaged, or destroyed.
7. To accept only gifts which are of high quality to ensure a long life and are resistant to the elements, deterioration, and to acts of vandalism.
8. To maintain the donation or memorial in accordance with the written agreement between the Donor and the Department and if no such agreement exists the donation or memorial shall be maintained for a time period reflecting the reasonably expected lifespan.
9. To make a reasonable effort to contact the Donor or heirs in advance of the expiration of a memorial so that Donors may request a renewal at their expense. In the event of replacement or upgrading, the original memorial plaque may be reused or replaced with a new plaque at the Donor's direction and cost. In the event a memorial is to be discontinued, the plaque will be offered to the Donor or heirs at no charge.
10. To calculate, review, and evaluate the expected life cycle, repair and replacement costs, estimated employee labor and all types of maintenance costs as well as only accept those gifts that do not cause undue financial burden on Department staff and/or resources.
11. To require, if it is determined the donation will cause the Department to incur a financial burden, the Donor cover the full cost for the purchase, installation, and maintenance during the expected life cycle. This may require, but is not limited to, a separate fee schedule agreement which the Department will enter into with the Donor to ensure the installation or on-going maintenance costs do not have a negative impact on the resources available for maintenance of other park facilities.
12. To strongly discourage gift, park improvement and Donor recognition proposals that are memorial or headstone in nature. While the Department respects the desire of individuals to memorialize their loved ones, it also recognizes the desire of other community members not to be burdened with a constant reminder of death in public places. Therefore, care must be taken to recognize and remember loved ones in a discreet manner.

13. To review requests for plaques which accompany donations. For memorials, gifts, and recognition of individuals, plaque text shall be limited to the name of donor and/or person being honored, and year of donation. Recommended wording for a plaque is shown below:

Donated by the friends and family of

(Name)

(Year)

The use of words "In memory of" or use of birth and death dates are not permitted. The words "In honor of" may be used. Educational and/or historical information related to the park or the amenity can be included in the plaque if it will enhance the value to the public. These forms of recognition are the responsibility of the donor to supply and LP&R staff will be responsible for installation. Consistency and standards in size, as related to "like" projects shall be maintained.

14. To reject any gift that could possibly infer in any way the Department or City's endorsement of the Donor's goods or services or any proprietary interest of the Donor.
15. To decline to accept a donation if such donation is not consistent with the policies, plans, mission, or ordinances of the Department or the City or acceptance of same is contrary to law.
16. To ensure that all Donor recognition objects are consistent with design guidelines approved at the discretion of the Director and/or approval from the Advisory Board.
17. To make it known that the Donor is responsible for any fees for independent legal counsel retained by Donor for completing a gift to the Department; any appraisal and appraisal report fees; the cost of all environmental assessments, audits and reviews; all title searches, reports, insurance or binders in the case of real estate; and all other third-party costs and fees associated with the transfer of the gift.
18. To ensure that donations for properties located on the National Register of Historic Sites meet the requirements for those properties. This may include obtaining approval from the Historic Preservation Commission.
19. To provide written acknowledgement of all gifts made to the Department and comply with the current IRS requirement in acknowledgement of the gifts.

## **PROCEDURE**

The City and its citizens value parks and public lands. Therefore any request to enhance a park or add a monument, marker, plaque or memorial will be carefully assessed to ensure what is being proposed protects the integrity of the City's Parks.

### **Donors:**

Those wishing to donate must complete a written proposal to the Department for consideration. Donors are encouraged to speak with Department staff to discuss potential areas of need within the parks and recreation system.

### **Proposals:**

The proposal should include information necessary for the Department to determine whether the proposed donation complies with the City of Longview Donation/Gift/Memorial Acceptance Policy. The proposal must address such things as whether the gift is restricted or unrestricted as well as anticipated location, cost, life cycle, specifications, recognition, wordage, maintenance etc. prior to acceptance.

### **Review:**

The Department will review and determine the appropriateness of the proposal as measured by the policy and the guidelines in Appendix A. If the donation falls outside of the approved policy, the

proposal will be presented for further discussion and decision to the Advisory Board. Donors are invited to attend the board meeting to discuss the proposal or answer questions.

*Decision:*

Department staff will notify the Donor, in writing, within 30 business days of the review decision, identifying any final conditions of approval.

*Implementation:*

With a positive review decision, Department staff will initiate and finalize the Donation and Gift Agreement between the City and the Donor. Approval must be received and agreement signed before ordering and installation of donation or memorial may proceed. The City shall be responsible for the coordination of installation, maintenance, and protection of the donation, within reason.

*City Acceptance:*

Once the donation is accepted, constructed, and/or installed on City property it will be deemed as donated to the City and the City will take ownership until such time that it is removed from City property. The City is in no way obligated to replace the gift or park improvement if it is stolen, vandalized, worn out, irreparably damaged, or destroyed.

*Removal and/or Relocation:*

This section applies to both existing and new donations. The City or Department reserves the right to remove and/or relocate donations or monuments when (a) they interfere with the site safety, maintenance, or construction activities, (b) become unsightly due to vandalism or lack of maintenance and repair, or (c) if the law changes such that the monument, donation, plaque, or its message would be treated solely as the speech of a private person rather than the governmental speech of the City. The City will notify the Donors, heirs, or alternate contact of any action related to the relocation or disposition of the donation. In certain situations, such as safety or emergency, the notification may be made after the action is taken. In the event a memorial is to be discontinued, a concerted effort will be made to return the plaque to the Donor or heirs at no charge.

*Donor Future Responsibility:*

If the donation, gift, and/or memorial meet the intended life cycle or becomes damaged or destroyed, the Department will make a reasonable effort to contact the Donor, heir, or alternate contact specified on the Donation and Gift Agreement. In advance of the expiration of a memorial or notification of damage or destruction, Donors will be contacted first to allow for renewal or replacement at their own expense. If a Donor, heir, or alternate is unable to be reached after six (6) months of initial attempted contact, the location, gift, memorial, or donation may be opened to allow for an additional or new Donor. In the event a memorial is to be discontinued, the plaque will be offered to the Donor or heirs at no charge.