

# **CITY OF COON RAPIDS**

## **PARK PHYSICAL IMPROVEMENT DONATION POLICY**

### **INTRODUCTION**

For many years, the City has allowed private individuals and organizations to dedicate improvements in Coon Rapids parks. The vast majority of these installations have been simple park benches (with a small donor recognition plaque) and trees (typically without any donor recognition plaque). Occasionally, more elaborate improvements were installed with support of local athletic and civic groups. This policy defines the types of allowable park physical improvement donations, the procedures to approve them, and the conditions and timeline under which they are allowed to remain.

### **PURPOSE OF PARK PHYSICAL IMPROVEMENT DONATIONS**

Coon Rapid's parks are developed, maintained and operated for the benefit of the general public. As with other public infrastructure, resources needed to run the park system are limited and donations from private entities, sometimes in the form of memorials, offer a way to make improvements that may not be implemented with existing resources. Park physical improvement donations often have two components:

- 1) Park Physical Improvement
- 2) Donor Recognition Component

The "Donor Recognition Component" of a park physical improvement donation should be incidental to the "Park Physical Improvement." The "Park Physical Improvement" should fulfill an identified need in our park system while the "Donor Recognition Component" should not detract from the public enjoyment of the installation or surrounding park. As delineated in this policy, opportunities for physical improvement donations may be limited in a given park and the physical improvement, like other park infrastructure, have a limited useful life. Therefore, it may not be possible to accept physical improvement donations in some locations and it is understood that approved installations will be removed when they are no longer serviceable or conflict with other park system needs.

### **POLICY**

For purposes of this policy, park physical improvement donations have been divided into three categories: *Standard Benches and Trees*, *Other Park Physical Improvement Donations* and *Park Donation Recognition Areas*. The policy governing each category follows.

#### ***Standard Benches and Trees***

- Under the direction of the Public Works Director, staff will establish a standard model of bench and donor recognition plaque which suits the needs of the park system and is readily available.

- Staff, specific to each park, shall identify allowable locations and the number of standard park bench locations to ensure that only benches needed to enhance the park are installed and that they do not detract from the intended park experience.
- Allowable tree species and locations shall be consistent with the nature of the specific park and shall be in a location where the tree will thrive.
- As delegated by the Public Works Director, the Parks Supervisor has approval authority for standard benches and trees as outlined in this policy.
- Donors will be provided with a copy of this policy prior to submitting a donation application to the City.
- The donor shall make application to the Parks Division for either a standard bench or tree:
  - Standard bench – the donor shall be responsible for the delivered cost of the bench as well as the concrete slab under the bench. The donation application will include payment to the City for the cost of the concrete slab installation. Once the application is approved by staff, the donor will purchase the bench directly from the City-approved vendor, and the bench will be delivered to the City. The City will then coordinate the installation of the bench and concrete slab under the bench.
  - Tree – the donor shall be responsible for the delivered cost of the tree. The donation application will include payment to the City for the delivered cost of the tree. Once the application is approved by staff, the City will purchase the tree and cover all costs associated with planting the tree.
- For standard benches, the donor shall be responsible for engraving the standard recognition plaque. The City will install the plaque once engraved.
- Photos, pictures or depictions of the recognition subject are prohibited on the bench recognition plaque.
- Logos, symbols or graphics are limited to no more than 50% of the total space on the bench recognition plaque.
- Language included on the bench recognition plaque is subject to the following restrictions:
  - Shall not directly or indirectly endorse or promote unlawful activity.
  - Shall not directly or indirectly endorse or promote age-restricted products such as alcohol or tobacco products, or other products generally considered detrimental to the health, welfare or safety of children.
  - Shall not directly or indirectly endorse or promote sexually explicit signs or graphics, including signs that describe sexual conduct in a patently offensive manner.
  - Shall not directly advertise, market or promote a business, organization or cause by including a sales pitch, phone number, website address, social media address or QR code.
- All plaques are intended to recognize a person, or a group of people, or an event, and the language/engraving on the plaque shall reflect that intent. All other types of proposed park physical improvement donations will be reviewed on an individual basis (see Other Park Physical Improvement Donations section below). No plaques will be placed at tree installations.

- The City will take normal care to protect and maintain benches and trees. Benches and trees will be removed at the City's sole discretion for, including but not limited to, the following reasons: if they conflict with other needed park improvements; if they are vandalized beyond reasonable repair; if they have exceeded their useful service life or no longer meet the character of the park or Park Master Plan.
- The City will attempt to contact the donor to inform them of the pending removal of their donated bench or tree. If it is determined to be in the best interest of the park system, the donor may be afforded the opportunity to repair or replace the bench or tree at the donor's expense. The City is not obligated to repair or replace the bench or tree.
- The donation will be formally accepted by the City Council.
- Thank you letters will be sent to donors.
- Upon installation, the bench or tree becomes the property of the City.
- Occasionally, members of the public will donate small to medium sized amenities or fixtures such as Eagle Scout projects. The acceptance of these donations shall follow the same policy guidelines as listed above for Standard Benches and Trees.
- Benches and trees that were installed prior to the approval date of this updated policy may remain in the park under the terms of this Policy. Existing benches and trees will be removed, refurbished, modified or replaced in the manner provided for in this Policy.

***Other Park Physical Improvement Donations***

- All other types of proposed park physical improvement donations will be reviewed on an individual basis. The following items will be considered when reviewing such proposals:
  - The extent to which the park function of the donation proposal satisfies identified needs within Coon Rapid's park system.
  - Integration, both visually and functionally, of the donation proposal into the park.
  - Whether the proposed park physical improvement donation is at a site identified in the City's Master Plan of locations for potential physical improvement donation in selected City parks, which serves as a guide to individuals requesting park physical improvement donations.
  - The balance between the donor recognition component of the donation and the park physical improvement. To be approved, the donor recognition component must be incidental to the park physical improvement, and should not detract from the public's enjoyment of the installation, nor the surrounding park.
  - Physical improvement donations are not to be large or ostentatious, nor of a design that places the focus on the donor recognition component versus the park physical improvement.
  - The park physical improvement and associated recognition component shall not give the appearance of an edifice or monument that would typically be found in a cemetery. The following types of park physical improvement donations are not acceptable:
    - Polished granite-type markers that are similar in style to grave markers, gravestones or other cemetery monuments.
    - Photos, pictures or depictions of the recognition subject.
- In most cases, the donor recognition component of the proposal will be limited to two (2) square feet of area (e.g. 12" x 24" or 17" x 17") and will be placed in a non-visually prominent location within the installation.

- Graphics on the recognition component must be related to the park or architectural aspects of the donation and will not directly reference or depict the subject of the donation.
- Logos, symbols or graphics are limited to no more than 50% of the total space on the donor recognition component.
- Audio/video displays are prohibited.
- Language included on the physical improvement donation is subject to the following restrictions:
  - Shall not directly or indirectly endorse or promote unlawful activity.
  - Shall not directly or indirectly endorse or promote age-restricted products such as alcohol or tobacco products, or other products generally considered detrimental to the health, welfare or safety of children.
  - Shall not directly or indirectly endorse or promote sexually explicit signs or graphics, including signs that describe sexual conduct in a patently offensive manner.
  - Shall not directly advertise, market or promote a business, organization or cause by including a sales pitch, phone number, website address, Twitter address or QR code.
  - Shall be a donation to recognize a person, or a group of people or an event, and the language/engraving on the plaque shall reflect that intent. All other language will be reviewed on an individual basis. All proposals shall be submitted to the Parks Supervisor and reviewed by both the Parks & Recreation Commission and Parks Maintenance staff.
- An agreement will be drafted between the donor and the City that includes the following:
  - Clear description of the proposed installation.
  - Outline of financial obligations (in most cases, the entire financial burden will lie with the donor).
  - Recognition of no tax benefits to the donor in donating to the City.
  - Clarification of maintenance responsibilities (in most cases, any maintenance requirements beyond what is currently provided by the City will be the donor's responsibility).
  - Outline of the conditions and timeframe for the eventual removal of the installation.
- The proposal, along with a report and recommendation from staff, will be presented to the Parks & Recreation Commission for review and for their recommendation regarding approval to the City Council.
- Final approval and acceptance of the park physical improvement donation and the associated agreement by the City Council is required.
- The City will take normal care to protect and maintain park physical improvement donations. Park physical improvement donations will be removed at the City's sole discretion for, including but not limited to, the following reasons: if they conflict with other needed park improvements; if they are vandalized beyond reasonable repair; or if they have exceeded their useful service life or no longer meet the character of the park or Park Master Plan.
- The City will attempt to contact the donor to inform them of the pending removal of their park physical improvement donation. If it is determined to be in the best interest of the

park system, the donor may be afforded the opportunity to repair, replace or take possession of the memorial at the donor's expense.

- The City is not obligated to repair or replace the park physical improvement donation.
- Thank you letters will be sent to donors.
- Upon installation, the memorial becomes the property of the City.
- Park physical improvement donations that were installed prior to the approval date of this updated policy may remain in the park under the terms of this updated policy. Existing park physical improvement donations will be removed, refurbished, modified or replaced in the manner provided for in this updated policy as a non-conforming physical improvement donation. At such time that the non-conforming park physical improvement donations, in the sole discretion of the City, have exceeded their useful life, are vandalized beyond reasonable repair, conflict with other park improvements, or no longer meet the character of the park or Park Master Plan, the donated improvements will be removed. Any "grandfathered in" improvements that are requested to be refurbished, modified or replaced must comply with the current Park Physical Improvement Donation Policy.

#### ***Park Donation Recognition Areas***

- The City Council may designate a City park or a defined section of a City park as a "park donation recognition area."
- "Park donation recognition areas" shall be intended to recognize a prominent or historic person, a significant event or a notable group of people, such as a veterans' memorial.
- "Park donation recognition areas" are not cemeteries and the remains of humans, pets, etc. are not permitted to be interred in a City park.
- Designated "park donation recognition areas" would permit the installation of large structures, fountains, statues, plazas, flag poles, audio/visual displays, markers and gardens.
- "Park donation recognition areas" shall be public spaces designed and developed primarily by the City's Parks and Recreation Division as a component of the City's parks system.
- While the City may choose to partner with individuals or groups to develop and maintain "park donation recognition areas," these are City park facilities and not privately-donated facilities.
- The City shall have full authority as to the location, design, amenities, operations and maintenance of "park donation recognition areas."