

CITY OF MANHATTAN BEACH DONATION POLICY

I. Purpose

The purpose of this policy is to establish a uniform process for donations in public parks, facilities and open space on City property or public easements.

II. Authorization

The City Council shall retain final authority for accepting donations and/or authorizing any use of City owned property.

III. Objectives

- Ensure uniformity and a timeline for requests;
- Facilitate and encourage donations to the City;
- Protect the integrity of City property;
- Provide opportunities for residents to create a vested connection to place and community.

IV. Qualifying Donations

- Community project enhancements, campaigns and/or services - such as Eagle Scout and youth program projects;
- Tribute items, such as benches or trees, park amenities, banners, pavers and tiles;
- Capital Improvement Projects (over \$50,000).

Artistic donations such as paintings, sculptures and murals will be considered under the Art Donation Policy from the Public Art Master Plan.

V. City Donation Catalog

The City of Manhattan Beach has created a catalog of amenity items that may represent a benefit to the community. It is recommended that all donations begin with a review of this catalog of approved items.

VI. Process

The following guidelines will be used when donating items:

1. Application/Written Proposal

Applications are required for all items in the City Donation Catalog and established donation programs, and will be approved based on item availability. For all other donations, a written proposal must be submitted to the City of Manhattan Beach Parks and Recreation Department. The proposal submitted should include: an explanation or scope of the proposed donation; specifications, including type, dimensions, material and proposed location; estimated value of the donation; donor information and any other pertinent information. Donations valued at \$5,000 or more will require review by the Parks and Recreation Commission and approval from the City Council.

2. General Criteria

The following criteria will be considered:

- any existing agreements
- any existing regulations or deeds
- proposal/scope
- easements/utilities
- existing structures
- quality/quantity of an object

- size of an object
- environmental concerns
- future or ongoing maintenance
- public safety
- estimated value
- relationship to the natural environment
- users of the proposed site
- future development plans
- landscape design, existing infrastructure
- visibility and accessibility
- Identification in City Donation Catalog

Donations made on property with a conservation easement or deed restriction shall require approval from the easement holder per the applicable easement or deed.

The City Council shall retain final authority for all use of City owned property. The Donor shall give up: ownership rights, right to alter, move or remove said donations without reservation, and maintenance obligation rights.

3. *Timeline*

Once an application is considered complete, (verified in writing) staff will process and respond to each application within 60 days of submittal (to allow time to process through Commission and City Council if needed). One of the following responses will be provided:

- a. Application/Proposal acceptance and next steps for approval;
- b. Proposal modification request which may include a general modification to the scope of the project;
- c. Application/Proposal denial

4. *Donation Approval*

Donations from the City Donation Catalog, established donation programs, and donations valued under \$5,000 will be processed administratively by staff. Donation proposals valued over \$5,000 will be reviewed by the Parks and Recreation Commission and require approval by the City Council.

VII. Implementation

The following guidelines are provided for the installation, construction or placement of any donated items:

1. *Project and Process*

An application or agreement between the donor and the City will be prepared for each donation.

2. *Funding*

The cost of labor and installation is built in to all items in the City Donation Catalog. For other donations, all costs are the responsibility of the donor (i.e., installation, labor and materials, and insurance, if needed).

3. *Installation*

City staff will oversee and coordinate for the installation of all donated items.

4. *Location*

City of Manhattan Beach reserves the right to amend and/or reject any location requested by the applicant. Unless specifically agreed to in writing, the City may, at any future date, elect in its sole discretion to remove or relocate the donation.

5. *Vandalism & Maintenance*

When an item is donated, City staff makes a commitment to reasonably maintain that item for ten years in a manner consistent with other City property. The City will make reasonable efforts to repair damaged donated items. However, the City is not responsible for replacing items, including plaques, due to excessive damage or loss of elements at the end of ten years.

6. *Recognition*

a) City Donation Catalog and Established Donation Programs

Specific recognition for all donations are listed in the City Donation Catalog or Donation Program materials.

b) Staff will work with donor to determine appropriate recognition on other donation proposals, subject to Parks and Recreation Commission and City Council approval.

c) Capital Improvement Projects - Donors providing donations exceeding \$50,000 will work with staff to determine appropriate recognition, subject to Parks and Recreation Commission review and City Council approval.

7. *Liability*

In no event shall the City be liable for value or tax assertions/claims by the Donor. The Donor(s) agree(s) to hold the City harmless and indemnify the City for any and all claims which might arise from any person, entity or corporation, resulting from the Donor's use of the City property or right-of-way for installation purposes, or arising from the Donor's performance or improvement/item donated pursuant to this policy