



I. INTRODUCTION

For many years, the City of Wahoo (“City”) has allowed private individuals and organizations to make gifts and donations for dedicated improvements in City parks and recreation facilities. While the majority of these gifts and donations have been for park amenities such as benches, trees, flag poles, etc., there have also been larger, more significant contributions for park property, buildings and structures, sports fields, playgrounds, etc.

The City operates and manages its parks and recreation facilities for the benefit of all City residents and visitors to the community. To that end, the City has invested in an ongoing capital improvement program (funded through a local option ½ cent sales tax) as well as parks maintenance and operational policies. The City wishes to continue to encourage gifts and donations that are compatible with these long-term plans that integrate into the existing park environments, and that mitigate ongoing maintenance costs to the City.

This Policy enhances the Wahoo Parks and Recreation Department’s mission of “striving to provide attractive, modern, and well maintained facilities and green spaces which serve as a source of community pride” by furthering its strategic objective of connecting residents to one of the City’s greatest assets, its parks system.

II. PURPOSE

This Policy’s purpose is to establish procedures and guidelines for the acceptance of gifts and donations. This may include monetary donations to the ‘Friends of Wahoo Parks & Recreation’ unrestricted endowment, monetary donations towards specific improvements and amenities, memorials, as well as donations of securities, stocks & bonds, and real estate or property intended to fulfill an identified need in the City’s parks and recreation facilities.

Improvements or memorials installed in parks and recreation facilities without City approval, as outlined in this Policy, are subject to immediate removal by the City.

This policy balances the desire of individuals and organizations to donate monetary resources towards physical improvements in City public spaces or memorialize persons or groups with the City’s need to provide long-term stewardship, responsible fiscal management, and on-going maintenance of its parks and recreation facilities for all current and future City residents.

III. APPLICABILITY

This Policy applies to all City of Wahoo parks and recreation facilities.

IV. GIFTS AND DONATIONS

Gifts and donations to Wahoo Parks and Recreation can be made in a number of different ways. The information presented in Sections V and VI provides specific information, policies, and procedures about the charitable giving opportunities that exist.

Types of Gifts & Donations

May include, but not limited to:

- Monetary Donations to 'Friends of Wahoo Parks & Recreation' Endowment
- Monetary Donations towards specific WP&R projects
- Securities, Stocks, & Bonds
- Real Estate for Resale
- Real Estate for Park Property
- Park Amenities (Benches, Trees, Picnic Tables, Drinking Fountains, etc.)
- Park Improvements (Structures, Playgrounds/Play Features, Sports Courts/Fields, etc.)

V. FRIENDS OF WAHOO PARKS & RECREATION

Friends of Wahoo Parks & Recreation (FWPR) exists to support and facilitate the Wahoo Parks and Recreation Department. FWPR provides an endowment fund to accept unrestricted monetary donations. The endowment fund provides a permanent vehicle for charitable contributions to FWPR and its support of the Wahoo Parks and Recreation Department. The endowment is housed in and managed by the Wahoo Community Foundation and provides permanent, non-supplanting funds. The goal and intent is for endowment proceeds to supplement (not replace) City support and allocations.

Donations and gifts to the FWPR endowment fund are considered unrestricted. As such, proceeds provided by the endowment will be used to support a wide variety of Wahoo Parks and Recreation capital project and operational initiatives in the areas of greatest need.

VI. DONATED AMENITIES & IMPROVEMENTS

Individuals or groups may make gifts and donations intended to be used for specific amenities and/or improvements within City parks and recreation facilities. This can be in the form of a regular donation or as a donation that serves as a memorial. City staff will work with potential donors to ensure that proposed improvements meet an identified need and are consistent and compatible with existing park design, management, and operational plans. Improvements must structurally and visually integrate with the park and recreation facility's existing natural and built environment so as not to detract from a user's experience.

The protection of the natural environment is a high priority. The City reserves the right to limit donated improvements to promote resource management and sustainability of natural landscapes. Final decisions on the placement of improvements shall be made by the City. All donated amenities and improvements, once accepted, become property of the City.

Installation, Maintenance, and Removal

To the extent reasonably possible with existing resources and equipment, the City will install smaller park amenities. Once the donation or improvement is accepted by the City (at a time and condition as determined by the City) it will be deemed as donated to the City and the City

will take ownership until such time as the City removes it from City property. The City owes no duty of care relative to the donated improvements following acceptance. Unless otherwise agreed to in writing, donated improvements may be removed or relocated if, in the City's sole discretion, it is no longer advisable to keep them at their current location. Examples of why this may occur would be if they conflict with other needed park or recreation facility improvements, have exceeded their useful service life, or are damaged. The City is in no way obligated to replace the gift or improvement after the gift is accepted regardless of whether the cause is due to theft, damage, wear and tear, or otherwise.

Recognition

A gift or donation, with the exception of a donated tree, may have a recognition component. The specific recognition component will be mutually agreed to by the City and donor. The recognition component typically will contain language limited to the following: "Donated By", "In Honor Of", or "In Memory Of". Any other content or items, including but not limited to, depictions, symbols, language, mementos, photographs, or other memorial items may be displayed on the recognition component or as a part of the improvement contingent upon prior consent and approval by the City. Provided, however, the City makes no representation or promise that the recognition will be permanent in nature and thus the City retains the sole discretion on naming and recognition following the initial recognition given to the donor.

Existing Donated Improvements and Memorials

Through the years, the City has allowed individuals and groups to donate improvements or install memorials in City parks and recreation facilities. Donated improvements or memorials installed prior to the approval date of this Policy may remain in the City park or recreation facility even if not in compliance with the Policy. Provided, however, the City shall have sole discretion on whether to remove, relocate, or otherwise discard of such items. Any existing donated improvement or memorial that is materially refurbished, modified, relocated, or replaced must comply with the current City of Wahoo Gifts, Donations, and Memorials Policy in effect at that time.

VII. PROCEDURE

Application and Review

To begin the process to donate any gift or improvement, a potential donor must submit the Gifts, Donations, & Memorials Application & Agreement form to the Parks and Recreation Department. The Department will review and evaluate the appropriateness of the application as measured by the policy guidelines in Section VIII as well as the following criteria:

- Conformance to the park or recreation facility's current or future design, operational, or maintenance plans.
- Fulfillment of an identified need at the park or recreation facility where the improvement is proposed.
- The extent to which the proposed improvement does/does not integrate with the park or recreation facility's existing natural and built environment.
- The extent to which the improvement enhances or detracts from the experience of the average park user of the park or recreation facility where it is proposed.

Acceptance or Denial

Department staff will notify the donor of the review decision, identifying any final conditions of approval. The Department will make the final decision as to the location of accepted improvements.

Any accepted gifts and donations will be acknowledged by the Department. An acknowledgement/thank you letter will be sent to the donors upon acceptance of the gift or donation.

VIII. POLICY GUIDELINES

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

- 1) To encourage and facilitate public and private gifts, donations, bequests, and contributions that enhance, beautify, improve, supplement, support, or otherwise benefit the parks and recreation system.
- 2) To accept only those gifts and donations that are consistent with these donation guidelines and policies as well as Department mission, policies, park property restrictions, park master plans, and the current comprehensive parks and recreation master plan.
- 3) To accept only those gifts and donations 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 Gift, Donation & Memorial Agreement with the donor, where appropriate and advisable, that specifies the type of gift and 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 which are of high quality to ensure a long life and are resistant to the elements, deterioration, and to acts of vandalism.
- 7) To maintain the donation, improvement, or memorial for its useful service life as deemed by the Department.
- 8) To only accept 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.
- 9) 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 and donations that do not cause undue financial burden on the City and Department staff and/or resources.

- 10) 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.
 - 11) To decline acceptance of any gift or donation that could possibly infer in any way the City's or Department's endorsement of the donor's goods or services or any proprietary interest of the donor.
 - 12) To decline acceptance of a gift or donation if such gift or donation is not consistent with the ordinances, regulations, policies, plans, or mission of the City or Department or acceptance of same is contrary to law.
 - 13) To ensure that all donor recognition requests are consistent with existing and current design guidelines approved at the discretion of the Director and/or approval from the City Council.
 - 14) To make it known that the donor is responsible for any fees for independent legal counsel retained by donor for completing a gift or donation 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 or donation.
 - 15) To provide written acknowledgement of all gifts and donations made to the Department and comply with the current IRS requirement in acknowledgement of the gifts.
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VII. AMENDMENTS AND MODIFICATIONS

This Policy may be amended or modified at any time by the City's Parks and Recreation Director, upon approval by the City Council. This Policy will be reviewed by the Department at least once every five (5) years.