

Department Policy and Procedures

Policy Name: **Gifts**

Number:
Effective:
Supersedes: 1991

Approved by Parks and Recreation Advisory Board: 11.10.05
Approved by Manager:
Reviewed by City Council:

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Policy

It is the policy of Denver Parks and Recreation (DPR) to actively encourage gifts that reinforce its mission and core services. Acceptance and recognition of gifts (property, goods or cash) must comply with the guidelines and procedures set forth in this policy.

1.0 Purpose

This policy is intended to help potential donors understand how the department decides whether to accept a proposed gift and how that donor can be recognized and thanked; to guide decisions of the Parks and Recreation Advisory Board, elected officials, and staff.

2.0 Definitions

2.1 Gift: A gift is a freely given donation of property, goods, or cash to the department, preferably with no expectation of return. If the gift is contingent upon a special request or restriction, the gift is considered as being subject to a “condition”. Property can range from land and buildings to smaller goods. Cash could include actual cash, discounts, or investments. Gifts may be donated for a specific purpose or may be general in nature.

2.2 Naming Benefits. Naming is the permanent name associated with a park, facility, or feature within a park or facility and is an exceptional way in which to recognize a substantial gift. See the *Naming of Parks and Recreational Facilities Policy*.

2.3 Corporate Sponsorship. Corporate sponsorship differs from gifts; it is financial or in-kind support from a for-profit entity for a specific department event, project, program and site in exchange for tangible and intangible marketing benefits to both the sponsor and the department. See the *Corporate Sponsorship Policy*.

3. Authority

Under section 2.4.4(E) of the City Charter, the management and control of all gifts of real or personal property used for park and recreational purposes come under the exclusive control of DPR and its manager, except that such gifts must be accepted with the prior approval of the Mayor and City Council. Under City ordinance, financial grants must be approved by ordinance, and gifts of fine art must be approved by the Office of Cultural Affairs.

4.0 Philosophy and Background

Denver Parks and Recreation has benefited from a rich legacy of community generosity. Over the decades Denver residents and businesses have given gifts of their time, their materials and products, and their money. Public and private foundations, too, have invested deeply in the system. A donation can dramatically increase the quality of a program, park, or facility or make the difference during economically lean times. The department wants to encourage and facilitate public and private gifts, bequests, and such contributions that enhance and support our parks and programs and goals of equity. The department also would like to be able to assure donors that their gift will be well-maintained and recognized. These policies outline the criteria for accepting gifts and recognizing donors.

5.0 Principles

The following principles are intended to help potential donors understand the process and complexity for the City in accepting a gift.

5.1 The department wants to work closely with each donor to provide recognition that is meaningful to the donor. The final decision, however, is the City's and is guided by established recognition and signage guidelines and any applicable policies. Recognition of gifts in a variety of other ways is encouraged and naming benefits are reserved for the most compelling contributors to the city or major donors.

5.2 The department must have adequate operating budget and staffing to accept, implement, and maintain the gift. Consequently, gifts that require levels of service, maintenance, or staffing beyond current levels should be accompanied by an operating endowment.

5.3 Gifts are encouraged that help eliminate any disparity in the quality of facilities and services across the city.

5.4 In order to promote departmental priorities and the goal of equity, the department and its partners will proactively offer potential donors a variety of meaningful and relevant gift programs or ideas, such as the established Tribute Tree and bench programs, and work to ensure wide geographic distribution.

5.5 Gifts must be given with the understanding that:

- a) they become the property of the City and are subject to the laws, policies and procedures that govern the City and the department.
- b) the department is not obligated to replace the gift if it is stolen, vandalized, worn out, irreparably damaged or destroyed.

- c) gifts must be given from private individuals, for-profit corporations, not-for-profit organization and public entities which bear no emblem of, or reference to, firearms, tobacco, alcohol, or sexually explicit materials.

5.6 Once accepted, the department has the following rights with respect to the gift:

- a) to remove or return any donated item
- b) to determine where the improvement will be located and when it will be installed (unless a specific location is agreed upon in advance)
- c) to determine the life span of the improvement and to remove it when appropriate
- d) to determine style and design of the improvement to fit departmental specifications, historic and environmental context
- e) to require the groups or individuals involved to meet City standards of liability and insurance coverage if volunteer labor is used.

6.0 Guidelines for Accepting Gifts

6.1 The department welcomes these generous gifts as an opportunity to enhance our services as long as they are consistent with City and departmental policies and regulations; respect the physical beauty of public spaces; and reaffirm the department's mission and core services. In considering any proposed gifts, the following questions should be considered individually and collectively:

- a) Is the gift consistent with the mission, values, priorities, and master plans of the department?
- b) Is there community or neighborhood support for the gift?
- c) Does the gift meet departmental specifications, such as construction quality?
- d) Does the gift enhance existing programs and facilities?
- e) Does the gift reinforce the City's priorities?
- f) Does the gift address the department's goal of equity of services and facilities across the city?
- g) Is there an accompanying condition (preferential access or a specific recognition) that conflicts with the department's mission, values, or services?
- h) Is there adequate budget and staffing to maintain the gift?

6.2 Conditional gifts may include requests for naming parks or recreational facilities (see ***Naming of Parks and Recreational Facilities Policy*** for details on naming) or requests for permitting priority or access to facilities built or improved as a gift. When considering requests for permitting priority or access, the following questions should be asked individually and collectively:

- a) Would this priority permitting negatively impact public access in a way that exceeds the value of the gift or the public good served by the gift?
- b) Would this priority permitting negatively impact equity of services across the city?
- c) Would the priority have the effect of turning a public facility into essentially a private one?
- d) Would the priority support or be consistent with existing programs, activities, and uses?

- e) Would the project not be built or happen otherwise?

6.3 Other gifts subject to conditions will be considered on a case by case basis. These types of gifts include but are not limited to the following:

- a) Any monetary gift that is time limited or requires subsequent donor approval of project plans
- b) Any monetary gift that is restricted to a specific use.
- c) A real property gift subject to defeasible fee, reversionary interest, or life estate
- d) Any gift that requires or restricts the public use or access to the gift in a manner not in conformance with federal or state law, City Charter or Ordinances, or department policies and rules and regulations;
- e) Any gift that requires action by a City department or agency other than Parks and Recreation; and
- e) Any gift that requires a substantial financial commitment or a “maintenance of effort” by the City or department as a prerequisite for or in association with a gift.

7.0 Procedures for Accepting a Gift

- The DPR Manager may approve or decline any proposed gift.
- In addition, any gift of real or personal property must be approved by City Council and the Mayor.
- Gifts of artwork must also be approved by the Office of Cultural Affairs and City Council. (See Sections 2-256 through 258, Denver Revised Municipal Code, which cover approval by the commission on Art, Culture, and film; approval by City Council through Ordinance; and need for donor endowments for maintenance of the gifts.)
- Any proposed major gift that substantially impacts the public use of parks or recreational facilities, impacts the department’s resources, or has an accompanying condition requested with it must be reviewed by the DPR Advisory Board before approval by the DPR Manager. If a gift includes the request to name a public park, building, or major feature, it must follow the *Naming of Parks and Recreational Facilities Policy*.
- The process for donating a gift to the department is to:
 - a) contact the department directly about any proposed gift (with the exception of trees)

Manager, Denver Parks and Recreation
201 West Colfax, Dept. 609
Denver, Colorado 80202
720-913-0696

- b) contact The Park People, a non-profit dedicated to Denver’s park and recreation system and urban forest (303-722-6262) to donate a tree

The appropriate staff member will work directly with the donor for the appropriate reviews and recognition and will establish a separate gift account for each gift.

8.0 Procedures and Guidelines for Recognition of a Gift

- The department wants to recognize the generosity of its donors in as meaningful a way as possible. At the same time, the department strives to minimize visual impacts in parks and facilities. Consequently, working with the donor, the staff will select a variety of avenues in which to thank and recognize them for their gift. That can include recognition in marketing materials, City website, collective gift walls, or small plaques. The following guidelines apply to recognition of all gifts:
- All forms of recognition must meet departmental design and maintenance guidelines.
- The department will establish and follow guidelines for the size, material, color and location of a plaque or other name recognition media.
- Often many people may be “behind the scenes” of a major gift (e.g. elected officials, staff members, or community leaders). However, permanent recognition, by name, usually should be limited to the donors themselves to avoid the difficulties and awkwardness of deciding who to include/exclude, political issues, etc.
- Any permanent recognition of donors in public spaces and parks must have minimal visual impact, be tasteful, and appropriate to the scale of the place and gift. Plaques will be directly connected to the gift or in a collective display area.
- Permanent recognition in a park or facility can include the name of individuals, organizations, and corporations. However product names and company logos are considered advertising and therefore are not acceptable.¹
- If a gift is for a series or group of improvements (e.g. new signs, trail markers, all the play equipment) recognition will be limited to one primary location.
- Other visible recognition objects will be limited to areas of the park system recognized as “built” environments (e.g. benches, picnic tables, buildings, play areas, ball fields, tennis courts).
- Overall guidelines for accepting gifts and naming requests are covered in separate departmental policies: *Gift Policy*, *Corporate Sponsorship Policy*, and *Naming of Parks and Recreational Facilities Policy*.
- Procedures and Guidelines for Permanent Recognition. These are guidelines for permanent, public recognition of gifts. The department also will recognize donors and gifts in a variety of meaningful ways: printed materials, etc. All recognition of gifts in departmental publications or media will be coordinated and approved by the Marketing

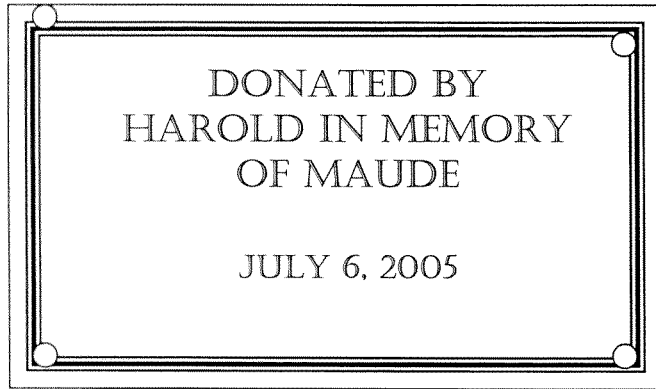
and Communications Division. See the following matrix.

Internal Department Process and Materials for Recognition of Gifts

| Gift | Design Lead | Location approval | Materials/type | Guidelines |
|--|--|---|---|--|
| Tribute Tree Program | Forestry | Forestry w/ planner and superintendent | Bricks at Eugene Field House | Program coordinated by The Park People; Forestry is the liaison. No logos. |
| Gift Benches | Planner | Planner w/ superintendent or recreation supervisor | Brass plaque attached to bench Use DPR template for all graphic details Standard park bench (exceptions when park of a larger landscape gift) | Simple wording: <ul style="list-style-type: none"> ▪ <i>“Dedicated to....” “In honor of.....” “In celebration of....”</i> ▪ No logos Dates: <ul style="list-style-type: none"> ▪ Date of dedication or installation (no birth/death dates) ▪ Each park/trail should have a master plan of general areas where benches could be added |
| Other material gifts (shelters, equipment, plazas, playgrounds, flower beds, etc.) | Planner | Planner w/ park superintendent or recreation supervisor | Designed specifically for the site and gift. Recognition for multiple gifts (e.g. a series of trail markers, many signs, all the equipment) will be consolidated into one primary place. | <ul style="list-style-type: none"> ▪ Recognition attached to gift if possible ▪ Kept in scale to not detract from the gift or context ▪ Connected to an architectural element (in the wall, pavement, boulder) ▪ Details (materials, font, graphics determined by Planning Division) Logos: no company logos or brands incorporated into permanent recognition on display in a park or recreation facility |
| Signs for Naming/renaming of park or recreation center Signs for Naming of large park feature or room | Planner (after approval process initiated in the Manager’s office) | Planner with park superintendent or recreation supervisor | For park or Recreation Center name: Standard Park Sign (standard font, text, and no logos) Park Feature/Room Name: Standard park feature sign (standard font, text, and no logo) See signage specs. | If features are too small to have a standard park sign, the feature will be recognized off-site. If a building or feature is named or renamed, no additional plaque is needed to announce the change. Interpretative materials (brochures, etc.) will tell the story to the public |

See *Naming of Parks and Recreational Facilities Policy* for more details on naming.

9.0 Sample Plaque



Material: brass

Size: (varies) 2" x 4" on benches

Screwed and tack welded in place

approximately 2-3"

approximately 4-5"

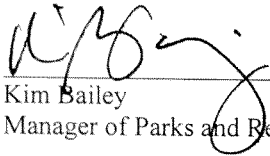
Brass Bench Plaque Template (typical): to be designed by Planning/Marketing (3" x 5")

This **Gift Policy** has been duly adopted in accordance with the rule-making requirements of section 39-2 of the Denver Revised Municipal Code and is in accordance with the authority of the Manager of the Denver Department of Parks and Recreation under section 2.4.4 of the Denver City Charter.

This **Gift Policy** is effective this 11th day of August, 2006.

In accordance with section 39-2(e), D.R.M.C., copies of this **Gift Policy** were filed with the Denver Clerk and Recorder and the Denver City Attorney within seven (7) days of the effective date set out above, and a notice of the adoption of this **Gift Policy** was published in The Daily Journal on the 16th day of August, 2006. The notice included a statement that a copy of the **Gift Policy** is on file with the Manager of Parks and Recreation and is available for public inspection.

APPROVED AND ADOPTED:



Kim Bailey
Manager of Parks and Recreation

APPROVED FOR LEGALITY:



Cole Finegan
City Attorney