

**CITY OF SEAL BEACH PUBLIC WORKS DEPARTMENT
ADMINISTRATIVE DIRECTIVE**

Subject: Memorial Bench and Tree Policy

Issue Date: February 29, 2024

1. SCOPE:

Memorial bench and tree donations.

2. PURPOSE AND INTENT:

To establish guidelines, standards, and procedures for the installation and care of donated elements in City-owned properties managed by the Public Works Department. The City of Seal Beach (“City”) desires to encourage donations while managing aesthetic impacts and minimizing ongoing maintenance costs. This policy applies exclusively to donations of benches and trees. The guidelines outlined herein will be applicable to existing donations as well as all donations made after the policy's effective date.

3. STANDARDS FOR NEW DONATIONS:

- 3.1 Definition of New Donations. New donations are those made after the adoption of this policy.
- 3.2 Acquisition or Purchase. The City and the community share an interest in ensuring that elements purchased and installed are of high quality related to style, appearance, durability, and maintenance. Public Works staff (“Staff”) will be responsible for the purchase and installation of all elements.
- 3.3 Appearance and Aesthetics. The City and the community share an interest in ensuring the best appearance and aesthetic quality of their public facilities. The elements and their associated donation acknowledgments should reflect the character of the park, facility, or pier. All elements will be installed in such a manner that will not substantially change the character of a property or its intended use.
- 3.4 Determining Cost/Fees. The City is committed to ensuring that donated elements do not negatively impact City resources. Donation amounts will fully cover the purchase, materials, installation, and maintenance expenses throughout its useful life.
- 3.5 Donor. The applicant named on the Memorial Bench and Tree Application is recognized as the Donor. Only the Donor, or an appointed designee chosen at the time of application submission, has the authority to approve replacement or adjustments to the donated element.
- 3.6 Maintenance. Donated elements and their associated donation acknowledgment will become the City’s property. Accordingly, the City has the duty to maintain the donation only for the useful life of the donation. Bench maintenance includes the replacement or adjustment of bench anchors, power washing, graffiti removal, and other minor maintenance. Tree maintenance includes pruning, watering, and pest and disease management.

- 3.7 Replacement. If the donated bench or plaque reaches the end of its useful life or at any time becomes damaged beyond repair, staff will make a reasonable effort to inform the Donor, provided current contact information is on file. The Donor will have the opportunity to donate a replacement at the donation level specified in the current memorial policy. It is the responsibility of the Donor to ensure that their contact information is up-to-date with the City for notification purposes. A one-year replacement guarantee is provided for all donated trees. If a tree should not thrive within one year of its original planting, at the sole discretion of the City Arborist, a replacement tree will be planted during the next available planting season.

4. RULES AND REGULATIONS:

- A. The Public Works Department will provide the standards for the type, style, design, and placement of memorial benches and plaques. The list of approved benches will be based on these factors: size, usage, vandalism, traffic, security, view obstructions, location, style compatibility, and environmental impact.
- B. Following the submission of a memorial tree application, the City Arborist will review the application and provide the applicant with suitable tree planting locations within the city. Additionally, the City Arborist will guide the selection of a suitable tree species that meets the preferences of the Donor while adhering to the City's list of accepted tree species.
- C. Donation requests for memorial benches and trees must be submitted to the Public Works Department using the Memorial Bench and Tree Application form. Staff will carefully review each application and determine whether to approve or reject the request. The Public Works Department holds the final authority on acceptance, placement, and installation. The City reserves the right to decline any donation, even if the donation otherwise meets the criteria set forth herein.
- D. All donations will become the property of the City upon installation.
- E. Memorial plaques are permitted exclusively on benches. Plaques must be uniform in size and material. All plaques will be required to feature standard wording selected from the following list: "Dedicated to (Name)"; "Donated by (Name)"; "In Memory of (Name)"; "In Loving Memory of (Name)"; "Dedicated to the Memory of (Name)"; "Given in Loving Memory of (Name)"; "In Celebration of (Name)"; "In Honor of (Name)"; "In Honor and Memory of (Name)"; "In Tribute to (Name)"; "In Appreciation of (Name)"; or "In Grateful Appreciation to/of (Name)". In addition, the following two options may be applied to the standard wording selection: 1) Birth and death dates (full dates or just years), 2) Inclusion of Title and/or Rank and/or United States Military Service Organization affiliation to the name. Any alterations will be at the discretion of the Director of Public Works or his/her designee.
- F. The City will maintain the donated element for its useful lifetime unless other arrangements have been agreed upon.
- G. The City does not assume responsibility for replacement due to damage, vandalism, or theft. An element will be removed if it becomes hazardous or if it is vandalized in a manner that renders it visually unacceptable. Staff will notify the Donor when the element requires removal and provide the Donor with the option to donate a replacement.

- H. The City reserves the right to remove or relocate any and all elements at any time. If the location of the existing element conflicts with any future improvement project(s) staff will make every effort to contact the Donor to coordinate the relocation of the element to a suitable location.

5. COSTS/FEES:

The Donor shall pay in advance the full cost to purchase, supply, deliver, and install the donated element, including the plaque with inscription and the necessary concrete surface and/or installation work required as agreed upon through the application process. All costs associated with a donation, including purchase, installation, administration, and maintenance, shall be submitted by the due date stated on the donation invoice.

The following donation amounts will generally cover the cost of the element, plaque, installation, and maintenance fees for the element's useful lifetime:

- 5.1 Memorial Bench. **\$4,500** (Four Thousand Five Hundred and 00/100 dollars)
- 5.2 Memorial Tree. **\$1,000** (One Thousand and 00/100 dollars)

Additional costs may be necessary depending on the specific installation requirements of the requested location. These costs will be communicated to the applicant for approval.

6. DONATION PROCEDURE:

Donations will be accepted from public and private sources to enhance City facilities and pathways. The Public Works Department is responsible for administering the Memorial Bench and Tree Program, which includes overseeing the review process for approving and installing donations.

- 6.1 Application. Before applying, applicants are encouraged to contact the Public Works Department at (562) 431-2527 ext. 1319 to verify whether their donation meets the criteria outlined in this policy. All prospective applicants are required to complete the Memorial Bench and Tree Application form. Applications are available in person at City Hall or online at www.sealbeachca.gov.
- 6.2. Donation Steps.
- 1) Complete the Memorial Bench and Tree Application Form. If the applicant has questions about donating a memorial bench or tree, or requires assistance completing the application form, the applicant may contact the Public Works Department at (562) 431-2527 ext. 1319.
 - 2) Submit the completed application form to the Public Works Department at City Hall, 211 8th St., Seal Beach, CA 90740, or by email at jsalvador@sealbeachca.gov.
 - 3) Staff will review the completed application using the acceptance criteria outlined in this policy and assess the requested location for availability and suitability for installation.

- 4) Staff will contact the applicant to review the application details, make any necessary adjustments, and gather additional information for procurement purposes.
- 5) The Finance Department will generate an invoice for the donation. Payment must be submitted by the due date indicated. Orders will proceed only after payment is received.

Note: For memorial bench donations, staff will provide the donor with an artist's proof of the requested plaque inscription for approval before commencing production.

- 6.3 Cancellations. Once final approval and payment are obtained from the applicant, refunds will not be issued for any items that have already been ordered, installed, or services rendered. In the event of a canceled donation before installation, any items ordered and paid for by the applicant remain the property of the applicant. The applicant is responsible for retrieving these items within sixty (60) days. After this period, any unclaimed items will become the property of the City.

7. CRITERIA FOR ACCEPTANCE:

- 7.1 Site Plan. To accept a bench or tree donation for a specific property, a site plan must be included with the application showing the requested location for the element. If a plan exists but does not identify a particular element proposed for donation, the City may accept the donation if the donation: (1) meets a true need of the property, (2) does not interfere with the intended current or future use of the property, and (3) does not require the relocation of other equipment or infrastructure to accommodate the donation. At the discretion of the City, a property may be determined to be fully developed and the opportunity for donations may not be available.
- 7.2 Bench and Tree Locations. Memorial benches and trees shall be installed at each site in accordance with the respective development plan, master plan, or an approved list of suitable locations as developed by the City. Memorial bench locations specified in the site plan have been pre-approved, however, all locations shall be subject to review, including on-site investigation of utilities, irrigation, potential conflicts with trees, and other technical or functional factors potentially affected by a new bench or tree installation. Modification of locations may be necessary following site investigation. Site plans for all memorial bench locations are available at www.sealbeachca.gov.
- 7.3 New Bench Locations.

The following criteria shall be used to determine new bench locations:

- a) Bench locations must serve as an appropriate resting or viewing place such as at the summit of a trail, at an interval along a trail or walkway, at a scenic overlook or other vista point, near playgrounds or other park amenities, and at other special locations. Benches should offer a comfortable place to enjoy the natural, historic, recreational, or other features in the area or park.
- b) Benches shall be placed at intervals appropriate to the intended use and scale of the location.

c) Bench locations shall avoid creating unsafe conditions, such as offering a platform for children to stand on to climb a tree, or locations situated close to vehicular traffic lanes or other potential hazards.

7.4 Bench Style. The style and material of the bench will be appropriate to its site, as determined by staff. All benches will meet the standards of the City for design, durability, and construction.

7.5 Donation Plaques. Donation plaques, as approved by the City, are to be a four-inch by ten-inch (4" x 10") bronze plaque directly affixed on the seatback or embedded into the concrete pad. For wood benches, a two-inch by ten-inch (2" x 10") bronze plaque is used and directly affixed on the seatback. The font, design specifications, and message approval will be determined by the Director of Public Works or his/her designee. Staff will procure the plaques from an approved vendor to ensure they meet high standards of quality, longevity, and durability. The size and text of donation plaques must be approved by the City. The cost of the plaques is covered by the donation fee.

7.6 Tree Selection. The Donor may request specific tree species; however, final approval is at the discretion of the City. The City Arborist will guide the selection of an appropriate tree species considering public health and safety, maintenance and management, fallen flowers and fruits, visual landscapes, functional requirements, and growth characteristics. New memorial trees generally range from 2-6 inches in caliper and vary in height. The City will use due diligence to promote the health and vigor of the tree but cannot guarantee its longevity.

8. CONDITIONS:

8.1 Installation. The installation of donated elements, including donation plaques, will be completed by staff. Benches may be installed at any time, weather permitting. The installation will be scheduled at a time and date as determined by staff to minimize disruption to routine maintenance activities. The timing for planting memorial trees will be determined at the discretion of the City Arborist.

8.2 Memorial Bench Term. The donation term for a memorial bench is ten (10) years or the useful life of the memorial bench, whichever comes first. This condition applies to both existing and new memorial bench donations. Upon expiration of the donation term, if it's determined that the bench needs replacement, staff will attempt to contact the Donor to offer the opportunity to donate a replacement bench. If staff is unable to contact the Donor, or if the Donor declines to donate a replacement, staff will consider removing the bench to accommodate other donations. Before disposal, staff will remove the memorial plaque and store it in the City yard for the Donor's retrieval. The Donor can arrange to pick up the plaque by contacting the Public Works Department.

8.3 Removal and/or Relocation. The City reserves the right to remove or relocate donated elements and their associated donation plaques if they interfere with site safety, maintenance, construction, or other City activities. As per established procedures outlined in this policy, staff will make reasonable efforts to notify the Donor of any actions taken regarding the disposition of the donation. In situations where safety or emergencies require immediate action, notification may follow after the fact. If an element must be permanently removed,

staff will endeavor to find an alternative location in line with this policy. If no suitable location can be agreed upon, the memorial bench and plaque will be returned to the Donor.

- 8.4 Maintenance and Damages. When an element is donated, the City commits to maintaining it to the best of its ability throughout its useful life. Every effort will be made to repair damaged memorial elements. However, the City is not liable for replacing items, including plaques, due to excessive damage, loss, or elements reaching the end of their lifespan.

9. WAITLIST:

If the program reaches full capacity, applicants will be placed on a waiting list. When a donation location becomes available, the next applicant on the waitlist will be notified using the contact information provided during waitlisting. Applicants will have two (2) business days from the time of notification to respond; failure to respond within this timeframe will result in removal from the waitlist, and the subsequent applicant will be notified. If removed, applicants may request to be re-added to the bottom of the waitlist; however, re-addition is not automatic and requires a request from the applicant.

10. OTHER DONATIONS:

In addition to donations expressly listed or outlined in this policy, the City may consider accepting other donations, subject to staff review and approval. Such donations must align with the City's objectives and policies to ensure consistency and appropriateness across all contributions.

11. ISSUANCE:

Approved by Recreation & Parks Commission February 28, 2024.