

Exhibit A

Parks and Recreation Department Tree and Bench Donation Policy

The City Council recognizes the need to promote community involvement and active participation in quality of life components throughout the community, and the need to establish a fair, equitable, and uniform procedure by which trees and benches may be donated to the City for installation in City parks. This policy establishes criteria for donations to assure area compatibility, attractiveness, usefulness, and sustainability of maintenance. Each donation considered for inclusion in the City's parks system will be subject to the limitations and guidelines for each particular area as established by the City's Parks and Recreation Department.

I. Acceptance of Donations

1. All donation applications for the donation of trees and park benches to the City must be made on the form maintained by the Department of Parks and Recreation.
2. Based on the value of the donation and availability of appropriate property to install the donation, City staff will review the acceptability of any donation and determine if the benefits to be derived warrant acceptance of the donation. At a minimum, any monetary donation for a tree or bench shall cover the entire cost of purchasing and installing the item, at current market value based on the time of approval of the donation, as well as any other maintenance costs required below.
3. Criteria for evaluation includes consideration of any initial expenditure required in order to accept the donation, the community benefit to be derived from the donation, and, with respect to benches, the potential and extent of the City's obligation to maintain a donated bench for a minimum of 10 years. Unless otherwise specified in this policy, after 10 years, or at the end of the donated item's useful life, as determined by the City, the donated item may be removed or replaced by the City.
4. The cost of a park or bench donation shall also include a maintenance fee equal to 50% of the estimated 10-year maintenance cost of the donated tree or bench (including the plaque), paid for in full by the donor at the time of the donation. This maintenance fee is in addition the cost and installation of the donated item.
5. If, during the application phase, the Director of Parks and Recreation determines that there are no suitable or available locations for the donation, or if the donor only wants to make a donation for installation at an unavailable location, the Director of Parks and Recreation shall reject the donation application.
6. If a suitable general location for the donation exists, the donor is amenable for the item to be installed at that general location, and donor is willing to fund the donation amount required to install and maintain the donation, as required by this policy, the Director of

Parks and Recreation shall submit the donation application to the Parks, Recreation and Arts Commission (“PRAC”) for review and approval. Pursuant to Rocklin Municipal Code Section 2.44.110, the PRAC is hereby responsible for reviewing and approving all tree and bench donations to the City, including the wording of any plaque to be attached to a donated bench, within the standards outlined in this policy. Any wording of a plaque approved by the PRAC shall be considered government speech and an action reflective of the view of the City Council.

7. Within fifteen (15) calendar days of the approval of the donation by the PRAC, the donor shall enter into a donation agreement with the City, subject to the review and approval as to form by the City Attorney. The Director of Parks and Recreation is hereby authorized to execute the donation agreement and to accept the donation on behalf of the City.
8. All donations accepted by the City shall become City property and shall be open and available for general public use in a manner consistent with the City of Rocklin Parks and Recreation rules, policies, and practices. At no point should the acceptance of a donation to the City be construed as the creation of a public forum.

II. Types of Donations

1. Trees

- A. Donations for trees may be used to install a tree or trees at a City park(s) recommended by the Director of Parks and Recreation and approved by the PRAC.
- B. Tree donations are limited to specific species that match the landscape in park locations. The type of tree to be installed shall be at the sole discretion of the City, as recommended by the Director of Parks and Recreation and approved by the PRAC.
- C. Donors may request a location for the donated tree, but the City shall make the final determination based on various factors including, but not limited to, landscaping, irrigation necessity, safety, viability of the tree, or other determinative factors. The PRAC shall approve the general location for the installation of the donated tree, with the Director of Parks and Recreation approving the specific location within the approved general location based on the above factors.
- D. Tree donations shall not be memorialized with a plaque or other fixture.
- E. The City shall not assume responsibility for replacement of a donated tree for any reason at any time.
- F. The City shall not guarantee the health, vitality, or existence of the tree for any amount of time.
- G. The City shall reserve the right to remove or relocate a donated tree if the location of the donated tree is in conflict with any future park improvement project(s) at the location of the donated tree or if the donated tree is creating a potential or current

health or safety hazard. The decision to remove a tree for the aforementioned reasons shall be at the sole discretion of the Director of Parks and Recreation.

2. Benches

- A. Donations for a bench shall be used to install a bench at one of the City's various parks as recommended by the Director of Parks and Recreation and approved by the PRAC.
- B. The PRAC, with the assistance of the Parks and Recreation Department shall designate the type, style, design, and placement of benches to be donated to the City and placed on City property.
- C. An inventory of all available bench locations will be maintained by the City.
- D. Donors may request a location for the donated bench, but the City shall make the final determination based on various factors including, but not limited to, accessibility, maintenance impacts, safety, or other determinative factors. The PRAC shall approve the general location for the installation of the donated bench, with the Director of Parks and Recreation approving the specific location within the approved general location based on the above factors.
- E. If requested and approved by the PRAC, the donated bench may be installed with a ten (10) inch by six (6) inch size granite plaque limited to the following standard content:
 - i. Line One of the plaque shall only include one of the six below phrases in one-fourth (1/4) inch characters of a standard font:
 - a. Dedicated to
 - b. Donated by
 - c. In Memory of
 - d. In Celebration of
 - e. In Honor of
 - f. In Appreciation of
 - ii. Line Two of the plaque shall only include the name of the individual being honored in three-eighths (3/8) inch characters of a standard font. Line Two shall have a maximum of twenty (20) characters in standard font. Spelling shall be the sole responsibility of the donor. The donor shall be financially responsible for any plaque re-engraving due to spelling errors made by the donor.
 - iii. Line Three of the plaque shall list the date the donation was made in one-fourth (1/4) inch characters of a standard font in the following format:

[Month to be spelt out] [Numerical date], [Numerical year]

- iv. The standard font shall be recommended by the Director of Parks and Recreation and require the approval of the PRAC.
- F. The PRAC shall have the sole discretion for approval or denial of the content of the plaque. The PRAC shall deny any plaque language it determines would be inappropriate for public display and/or that would attract vandalism. All content on approved plaques are expressive actions reflecting the views of the City Council and in no circumstance shall a plaque constitute a public forum.
 - i. If the PRAC denies the donor's proposed language, but approves alternative language, the donor may accept the alternative language and move forward with the donation without having to reapply for approval from the PRAC.
- G. Donated benches and plaques are guaranteed for a minimum of ten (10) years following installation or "useful life", as determined by the City, whichever comes first.
- H. If a donated bench or plaque is damaged or stolen within the period set forth in Section II(2)(G) of this policy, the City shall repair or replace the item one time at no additional cost to the donor. Additional replacements of the bench or plaque within the period set forth in Section II(2)(G) shall require another monetary donation by the donor in the amount set forth by the Director of Parks and Recreation at the time of installation of the subsequent bench or plaque. Installation of an additional bench shall not extend the original period set forth in in Section II(2)(G). If the donor does not furnish the funds to replace the damaged bench within five (5) calendar days of the City providing notice of such damage requiring repair, the bench and/or plaque shall be removed. The City reserves the right to remove, without replacing, any bench or plaque that has been damaged or is beyond repair, as determined by the City, at any time and without prior notice to the donor.

III. Right to Decline

The City of Rocklin reserves the right to decline any donation if, upon review, acceptance of the donation is determined to not be in the best interest of the City.

IV. Appeal

1. Any decision of the Director of Parks and Recreation with respect to the rejection of a donation or placement location of a donated tree or bench may be appealed to the PRAC for final determination. All requests for appeals must be made in writing within ten (10) calendar days of the Director of Parks and Recreation's action and must be accompanied with the required appeal fee, as established by a resolution of the City Council.
2. Any decision of the PRAC with respect to the approval or rejection of a donation may be appealed to the City Council for final determination. All requests for appeals must be made in writing within ten (10) calendar days of the PRAC's action and must be accompanied with the required appeal fee, as established by a resolution of the City Council.
3. All requests for appeals shall be submitted to the City Clerk's Office.

V. Timeliness

1. Donations will be processed in the order received.
2. Complete funding for the donation must be processed before the purchasing of any donated item or commencement of any work to install the item. If the donor has not provided the complete funding amount required by the City for purchasing and installation of the donated item within fifteen (15) calendar days of approval of the donation by the PRAC, the donor loses any rights conferred with respect to the donation and the City shall not accept the donation.
3. City shall be responsible for tree and bench installation.
4. All donations are limited to a period of 10 years or until the end of the useful life of the item, as determined by the City. After 10 years, or the end of the useful life of the item, whichever comes first, reasonable effort will be made to contact the original donor (City will attempt to make contact for no more than 30 calendar days if donor is unable to be reached) for a right of first refusal to keep the donation in their name. If denied, or the donor is unable to be reached, the location may become available for a new donation.