City of Santa Fe, New Mexico

LEGISLATIVE SUMMARY
Resolution No. 2015-___
Park Memorials

SPONSOR(S): Councilor Dimas

SUMMARY: The proposed resolution adopts guidelines and regulations for the acceptance of memorial donations for placement in city-owned parks, open spaces and trails.

PREPARED BY: Rebecca Seligman, Legislative Liaison Assistant

FISCAL IMPACT: No

DATE: May 29, 2015

ATTACHMENTS: Resolution
FIR
Exhibit A

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2015-___

INTRODUCED BY:

Councilor Bill Dimas

A RESOLUTION

ADOPTING GUIDELINES AND REGULATIONS FOR THE ACCEPTANCE OF MEMORIAL DONATIONS FOR PLACEMENT IN CITY-OWNED PARKS, OPEN SPACES AND TRAILS.

WHEREAS, gifts, memorials, and dedications have augmented Santa Fe parks, open spaces and trails for many years and historically the Parks, Trails and Watershed Division has accepted such donations; and

WHEREAS, the City currently has in place policies that outline the criteria and conditions for the naming of parks and City facilities, accepting donations of real property and locating art objects in public spaces; and

WHEREAS, such policies do not apply specifically to memorial donations in the City's parks, trails, and open spaces; and

WHEREAS, the City currently does not have established guidelines that regulate receiving and placing donated memorials in City-owned parks, open spaces and on trails; and

WHEREAS, there is a need for guidelines for site-appropriate amenities that don't detract

from the visual aesthetics of the surrounding natural environment or place an undue burden on the City; and

WHEREAS, the Governing Body desires to establish guidelines for the consistent decision-making process related to the acceptance, placement and long-term maintenance of public requests for memorial donations in city-owned parks, open spaces and trails.

NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE THAT the Governing Body hereby adopts the ***Parks, Trails and Watershed Division Memorial Donations Guidelines and Regulations***, attached hereto as Exhibit "A". Such guidelines and regulations shall be used by City staff when accepting memorial donations for placement in City-owned parks, open spaces and trails.

PASSED, APPROVED, and ADOPTED this ___ day of _____, 2015.

_____

JAVIER M. GONZALES, MAYOR

ATTEST:

_____

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

Kelley A. Brennan

KELLEY A. BRENNAN, CITY ATTORNEY

M/Legislation/Resolutions 2015/Park Memorials

FIR No. 2669

City of Santa Fe
Fiscal Impact Report (FIR)

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

Section A. **General Information**

(Check) Bill: _____ Resolution: ___X___

(A single FIR may be used for related bills and/or resolutions)

Short Title(s): **A RESOLUTION ADOPTING GUIDELINES AND REGULATIONS FOR THE ACCEPTANCE OF MEMORIAL DONATIONS FOR PLACEMENT IN CITY-OWNED PARKS, OPEN SPACES AND TRAILS.**

Sponsor(s): Councilor Dimas

Reviewing Department(s): City Attorney's Office

Persons Completing FIR: Rebecca Seligman/Robert Carter Date: 5/29/15 Phone: 955-6501 / 955-5921

Reviewed by City Attorney: Kathy A. Brennan (Signature) Date: 6/1/15

Reviewed by Finance Director: per Teresita Garcia (Signature) Date: 6/1/2015

Section B. **Summary**

Briefly explain the purpose and major provisions of the bill/resolution:

The proposed resolution adopts the *Parks, Trails and Watershed Division Memorial Donations Guidelines and Regulations*, as guidelines and regulations to be used by City staff when accepting memorial donations for placement in City-owned parks, open spaces and trails.

Section C. **Fiscal Impact**

Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)

b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)

c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)*

1. Projected Expenditures:

a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)

b. Indicate: "A" if current budget and level of staffing will absorb the costs
"N" if new, additional, or increased budget or staffing will be required

c. Indicate: "R" – if recurring annual costs
"NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs

d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns

e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

Finance Director: _____

___X___ Check here if no fiscal impact

Column #: 1	2	3	4	5	6	7	8
Expenditure Classification	FY __	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY ____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected
Personnel*	$____	____	____	$____	____	____	____
Fringe**	$____	____	____	$____	____	____	____
Capital Outlay	$____	____	____	$____	____	____	____
Land/ Building	$____	____	____	$____	____	____	____
Professional Services	$____	____	____	$____	____	____	____
All Other Operating Costs	$____	____	____	$____	____	____	____
Total:	$____			$____			

* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. **For fringe benefits contact the Finance Dept.

2. Revenue Sources:

a. To indicate new revenues and/or

b. Required for costs for which new expenditure budget is proposed above in item 1.

Column #: 1	2	3	4	5	6
Type of Revenue	FY ____	"R" Costs Recurring or "NR" Non-recurring	FY ____	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected
____	$____	____	$____	____	____
____	$____	____	$____	____	____
____	$____	____	$____	____	____
Total:	$____		$____		

3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

N/A

Section D. **General Narrative**

1. Conflicts: Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

None staff is aware of

2. Consequences of Not Enacting This Bill/Resolution:

Are there consequences of not enacting this bill/resolution? If so, describe.

If this resolution is not enacted, the City of Santa Fe would have specific guidelines for park memorials.

3. Technical Issues:

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

No

4. Community Impact:

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

The positive effect of this resolution is that it would adopt the *Parks, Trails and Watershed Division Memorial Donations Guidelines and Regulations*. Such guidelines and regulations would be used by City staff when accepting memorial donations for placement in City-owned parks, open spaces and trails. This would make for consistency in placing memorials in our City parks.

EXHIBIT A:

City of Santa Fe Guidelines and Regulations, for:
Memorial Dedications and/or Donations to be placed in City Parks and Public Spaces

PART 1: TYPES OF MEMORIALS

1.1 Memorial donations can include:

1) Landscape donations including trees and shrubs.
2) Park benches, tables, or similar items.

a. Memorial plaques identifying the donation may be provided for donations of benches, tables, or similar items, but shall not include living plants.

1.2 Other Types of Memorials: Other types of memorials may be considered on a case-by-case basis by the Parks Division in consultation with the Parks and Recreation Advisory Commission and City staff.

a. A proposed donation of a permanent asset shall be coordinated with the Parks and Recreation Department Director, and staff of the Parks Division. Design specifications must be compatible with existing management and operation plans, as found in the Parks Master Plan, Traffic, Drainage, or Development Plans, or any other relevant planning document. Consideration for resource management and sustainability of natural landscapes will be taken into consideration when placement of the donation is decided.
b. Depending on the scope of the memorial, the Parks and Recreation Department may refer the project to the Governing Body for final authorization, after presentation to the appropriate Council Committee(s), based on inter-departmental review, archeological and historic review, and environmental assessment. Other investigations and/or coordination may be required, as determined by the City Manager, under counsel of City Attorney and the Parks and Recreation Director, as well as the Director of Public Works.
c. Non-designated monetary memorial donations to the City of Santa Fe Parks and Recreation Department will be used to meet current needs of the Department, as recommended by the Parks and Recreation Department Director.

1.3 Memorials may not have a commercial appearance or corporate label. Recommendation for a desired location of a donation may be requested by those providing the donation, but final placement will determined by the Parks Division.

1.4 All donated items become City property at time of donation.

PART 2: MEMORIAL DONATION PROCESS:

The following describes the steps necessary for application and approval of a memorial donation.

EXHIBIT
A

2.1 Initial Contact

a. All inquiries should be addressed to the Office of the Director, Department of Parks and Recreation (Director).
b. The Director shall coordinate with the Parks Administrator to meet with those parties requesting permission to have a memorial dedication and/or donation (donation) placed in a City park, or City owned and controlled public space.
c. The Parks Administrator or their designee shall schedule a site visit to discuss the proposed donation, the site limitations, and the guidelines and regulations.

2.2 Determination

a. The Parks Administrator shall make an initial determination based on the above scope of work, such that landscape element and installation may be authorized by the Director and approved for donation and installation. Landscape elements should reflect thoughtful consideration of a plant's suitability or adaptability, with respect to temperature ranges, humidity and available soil moisture to provide for the plant's vigor and vitality.
b. All determinations will be presented to the Parks and Recreation Advisory Commission for their review and advice.

2.3 The City shall be responsible for the installation, maintenance, and protection of the donation, as determined by the Parks and Recreation Department.

2.4 Permanency

a. Permanency of a memorial is not guaranteed by the City of Santa Fe. Permanency may be affected by natural or man-made pressures beyond the City's control. Such pressures include, but are not limited to, lack of water, vandalism, and natural decay.
b. Memorials that succumb to natural or man0made pressures will not be replaced at the expense of the Department, unless such replacement is within the existing budget, and in accordance with current Department policies.
c. If a memorial must be relocated, Department staff will attempt to notify the donor in writing at the donor's last known address.

2.5 Inventory and details of such donations will become part of the permanent inventory of the Parks Division.

2.6 Appeal Process

a. The Parks Administrator's determination may be appealed to the Director of Parks and Recreation or the City Manager, whose determination may be appealed to City Council. Such appeal would be filed with the City Clerk, for placement on the City Council Agenda.

PART 3: INFORMATION

3.1 Information regarding the City of Santa Fe Parks Memorial Program is available from the Parks Division during business hours, or from the City's website. Copies of these

policies and other related information will be provided by the Division at a price determined by the City.

3.2 Donations made to the City of Santa Fe Parks Division may be tax deductible. Please check with a qualified accountant for more information.

PART 4. AMENDMENTS TO THESE GUIDELINES AND REGULATIONS

4.1 Amendments to these policies may be approved by the City Manager upon recommendation of the Parks & Recreation Director and the Parks Administrator, in coordination with the Parks and Recreation Advisory Commission.