



# REGIONAL PARK AND OPEN SPACE DISTRICT

## Policy and Procedure Manual



Policy 5.5

Accepting and Recognizing Donations

### I. POLICY

Among the primary missions of the Riverside County Regional Park & Open-Space District is to own and manage land and resources for the purposes of providing recreational opportunities and conserving wildlife habitat. In concert with this important mission, the Park District receives donations of monetary/fixed assets and offers of real property from potential donors and also as a result of mitigation conditions issued by federal and State resource agencies. This policy is intended to guide the acceptance of monetary/fixed assets and real property, as well as tree donations.

### II. PURPOSE

To establish a uniform and consistent method of accepting and recognizing various kinds of donations in accordance with Board Resolution No. 2004-2 and California Government Code Section 25355.

### III. PROCEDURE

A. Monetary, in-kind and fixed assets, according to value of donation:

1. **\$1 - \$10,000** The General Manager will have discretion to accept gifts in value from \$1 to \$10,000. The donor will be recognized by a letter from the General Manager.
2. **\$10,000+** Donations will be accepted at the discretion of the General Manager. Pursuant to California Government Code Section 25355, the General Manager shall file with the board each quarter a report that describes the source and value of each gift valued in excess of ten thousand dollars (\$10,000) or any other amount as determined by the board. The board may hold and dispose of the property and the income and increase thereof for those lawful uses and purposes as are prescribed in the terms of the gift, bequest, or devise. In accounting for or



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inventorying gifts, bequests, and devises, the General Manager shall follow the appropriate procedures contained in the State Controller's manual entitled "Accounting Standards and Procedures for Counties."

3. The General Manager may approve a plaque or other approved form of recognition to be established in a park or other appropriate location to recognize donations of any value. Design and size of plaque must be pre-approved by the General Manager.
4. The Park District will make a good faith effort to maintain all structures and equipment. Recognition plaques, monuments or signs will be maintained for at least 10 years unless a site-specific sponsorship program establishes a shorter time frame.

B. Real property donations:

In considering the acceptance of property donations, the Park District will assess the potential benefits to the public of owning and/or managing the land offered. This will include evaluations of potential recreational opportunities and public benefits resulting from the presence of open space. The Park District also will consider potential costs resulting from the ownership and management of land. Decisions concerning the acceptance of property donations will result from a careful balancing of these factors.

The evaluation of potential real property donations will be made pursuant to the following criteria:

1. In order to reduce land ownership expenses, Park District staff will not recommend that its Board of Supervisors/Directors accept real property which is subject to taxation or assessments under Community Facilities



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Districts, Assessment Districts, Community Service Districts, or other mechanisms;

2. For purposes of protecting the public health, prior to accepting any real property donation, the Park District will perform, or cause to be performed at no cost to the District, a Phase 1 survey for toxic materials. Real property identified in Phase 1 survey report as containing toxic substances will not be accepted unless such materials are removed and the land is certified as free of contaminants prior to conveyance;
3. Prior to accepting any real property donation, the Park District will obtain and review a Preliminary Title Report for the subject parcel(s). A copy of the Preliminary Title Report will be forwarded to County Counsel and Facilities Management Division for review. Real property donations may be accepted by the Park District if Preliminary Title Reports are acceptable to County Counsel, Facilities Management Division, and the Park District General Manager;
4. The review of Preliminary Title Reports will include an evaluation of deed restrictions, easements, mining claims, codes, covenants, and restrictions, and other items that may restrict the uses of real property. The Park District staff will recommend that its Board of Supervisors/Directors not accept real property if its use is legally restricted in a manner incompatible with the mission and operations of the agency;
5. Real properties recommended for acceptance to the Board of Supervisors/Directors will be free of trash, debris, abandoned vehicles, and similar materials. Park District staff will evaluate the need for fencing, access gates, or other improvements necessary to managing the property in a manner compatible with the agency's mission and operations;



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6. In cases wherein real property is offered for donation subject to life estates, reversionary interests, or agreements under which donors or others maintain access or use rights, such arrangements must be reviewed and accepted by County Counsel, the Park District General Manager, and the District Board of Supervisors/Directors;
7. In cases involving real property offered for donation as wildlife habitat, the Park District will evaluate the natural resource value of the parcel(s). The Park District will recommend that its Board of Supervisors/Directors accept wildlife habitat donations if: a) the property has natural resource values which contribute to the County's wildlife reserve system; b) the biological viability of the resources has a reasonable probability of long-term persistence; c) the property is subject to no easements, mining claims, mineral leases, or other encumbrances or rights which would, if exercised, significantly reduce the natural resource values of the land, and; d) the property proposed for donation is not subject to unacceptable mitigation, habitat management, or habitat restoration obligations imposed as a condition of federal, State, or other permits, grants, or project approvals;
8. Proposed real property donations will be evaluated in regard to projected impacts on Park District operating expenses. Real properties recommended for acceptance to the Board of Supervisors/Directors generally will be those for which: a) the cost of managing the property can be accommodated in present and projected future operating budgets without adversely affecting other Park District activities, or; b) management expenses will be paid by endowments or other revenue provided by the donor or other external funding source;



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9. It is well recognized that open space provides many quality-of-life benefits to the public, which cannot be quantified. In light of such benefits, the Park District staff may recommend that its Board of Supervisors/Directors accept property which does not conform to the above criteria if such acceptance is warranted by special circumstances.

C. Tree donations

1. All tree donations will be designated for planting at the discretion of the Park District, including, but not limited to, the establishment of new trees in a specific area. The intent of this policy is to avoid the establishment of trees that are specifically and wholly dedicated to an individual. Trees may be dedicated and placed on behalf of individuals, but not marked or identified as such.

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