



AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING
Meeting Date: September 7, 2021

Agenda Item 6-I
Approvals:
City Manager ES
Dept. Head _____
Attorney _____
Finance JR

Department: Beaches, Parks and Recreation
Prepared By: Samantha Wylie, Beaches, Parks & Recreation Director

Subject: *ACCEPTANCE OF WEATHERVANE DONATION FROM PIERPRIDE FOR PIER BAIT & TACKLE SHOP*

Fiscal Impact: No.

Summary: Staff recommends that the City Council accept the weathervane donation from PierPride Foundation and approve the incorporation of the weathervane into the FY 2021-22 End of Pier Concession maintenance project.

Background: The end of pier concession building is planned to undergo a maintenance renovation for exterior improvements beginning in December 2021 as approved through the FY 2021-22 Annual Budget. As part of the renovation, PierPride has proposed the donation and installation of a weathervane featuring a blue heron (Attachment 1). PierPride has also proposed modification to the roofline of the structure to support the weathervane installation.

Per Policy No. 204-5, all major donations must be reviewed and approved by Council (Attachment 2).

Discussion: Staff is seeking Council approval of the weathervane installation to be incorporated into the scheduled exterior improvements of the building. While Coastal Commission ("CC") approval would not be required for the installation of a weathervane, CC approval would be required for the proposed modifications to the roofline of the building as depicted in Attachment 3.

At this time the roofline/turret modification is not recommended, but staff will work with PierPride to ensure the installation of the weathervane is done appropriately and in such a manner so as to not detract from the value and significance of the weathervane.

At this time, staff recommends Council approve the acceptance of the blue heron weathervane per Policy No. 204-5 (Attachment 4), and direct staff to incorporate the piece into the upcoming end of pier concession maintenance renovation project.

Recommended

Action: STAFF RECOMMENDS THAT the City Council accept the donation of a blue heron weathervane per Policy No. 204-5, and approve its incorporation into the upcoming end of pier concession maintenance renovation project.

donation from PierPride and approve the incorporation of the weathervane into the FY 2021-22 end of pier concession maintenance project.

- Attachments:**
- 1) PierPride weathervane donation letter
 - 2) Policy 204-5
 - 3) Proposed weathervane
 - 4) Donation acceptance form

Notification:

PierPride Foundation
Pier Bait & Tackle
Fisherman's Restaurant & Bar



Samantha Wylie
Recreation Manager
City of San Clemente
910 Calle Negocio
San Clemente CA 92673

August 2, 2021

RE: Pier Snack Shack Weather Vane

Dear Samantha:

PierPride Foundation is proud to submit our recommendation for the weather vane that will be part of the upcoming Pier Snack Shack renovation. Our recommendation is based upon yet another excellent analysis done by Redmond Schwartz Marks Design (RSM), who have gone the extra mile in their thinking.

The attached RSM presentation is self-explanatory, and also a generous gift to the City, as the work was done pro-bono. Rather than consider the weather vane in isolation, RSM considered the building structure and roofline, and as always, they've come up with a great solution that translates to our 2-part recommendation.

1. **Create a Turret upon which to mount the weather vane.** The turret mimics those found on the Fisherman's restaurant for design cohesiveness and also solves for an otherwise unsightly current roof line. See the presentation for specifics. It's a thoughtful –and affordable--way to use an architectural design element to tie buildings together. And create a perfect place for the weathervane.
2. **Install a flying heron from The Weather Vane Factory as shown in the presentation.** It is a 24-gauge patina copper to withstand heavy wind, with approximate dimensions: 35" L X 21" H X 32" WS, not including stainless steel rod and spacers which add 10"H more. The directional dimensions are 23" L and 4" lettering. There are several mount options, that can be decided with City staff. We estimate all costs at \$3,000 at this time, and, with City guidance, had previously identified \$5,000 for this item in the larger pledge to the City of \$75,000.

Once approved, the Foundation will purchase the weather vane and mount directly. Note that the generous community sponsors of the weather vane are Martin Schwartz and Suzanne Redmond Schwartz. Suzanne especially recommends the flying heron, as it's similar to one on the snack shack from several years ago, and it has a wonderful sense of flight.

PierPride P.O. Box 73544, San Clemente CA 92673
501(C)(3) charity, Federal EIN #32-0515984
www.pierpride.org 949.422.2943



We look forward to hearing how the City Council approval process goes August 17. Please include this letter/attached presentation in your staff report and advise us if a foundation member should attend the meeting.

Thank you for the continued partnership with PierPride.

Cordially,

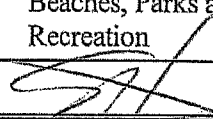
Eileen Kawas
PierPride Foundation President

Cc: Mayor Kathy Ward, Erik Sund, Jennifer Savage, Randy Little, Joanne Baade (City of San Clemente) Suzanne Redmond Schwartz (RSM Design)

Attachment: RSM Design presentation



POLICY AND PROCEDURE

Subject: Guidelines for the Acceptance of Donations, Sponsorships, & Gifts	Index: Financial Services Number: 204-5
Effective Date:	Prepared By: Beaches, Parks and Recreation
Supersedes: Not Applicable	Approved By: 

1.0 PURPOSE:

The purpose of this policy is to establish a formal process for the acceptance and documentation of donations made to the City and its partners, as established in Policy No. 204-1. This policy provides guidance when individuals, community groups, businesses or commercial agencies wish to make a donation to the City, by way of sponsorship or in-kind donation. This policy encourages and supports departments in the development of revenue generation and Fundraising and Sponsorship efforts that are consistent with existing City policies, procedures and applicable laws.

2.0 ORGANIZATIONS AFFECTED:

All City departments.

3.0 REFERENCES:

City of San Clemente Policy and Procedure No. 204-1

4.0 POLICY:

4.0.1 It is the desire of the City of San Clemente to encourage and support individual Departments to pursue Donations, Sponsorships and other Fundraiser events with the purpose of creating opportunities for enhancing revenue for department priorities. Individual Departments, through the approval of the City Manager and/or City Council, shall develop Sponsorship and Fundraising programs that meet the requirements set forth in this Policy.

4.0.2 With all donations, sponsorships, and gifts, the City reserves the right to consider the public trust and decline donations from entities whose purposes are inconsistent with the City's goals, objectives or best interests.

5.0 DEFINITIONS:

- 5.0.1 Donor: A "Donor" is a company, organization or individual who provides the City, or one of the City departments, an item or service without expectation of significant return or recognition.
- 5.0.2 Donation: A "Donation" to the City means a person or entity providing the City with financial support or property of a value exceeding the City's payment for such item. A Donor typically does not expect to receive a substantial return or recognition from the City in return for the Donation. A Donation may consist of cash, real property (land) or an in-kind Donation. Donations may be unrestricted or restricted by the Donor.
- 5.0.3 Fundraiser: A "Fundraiser" is any activity conducted with the intent of soliciting Donations, Sponsorships or other financial contributions to the City or to a particular Department of the City. Fundraisers may include, but are not limited to, foundations or funding agencies, endowment programs, pledge drives, and contacting individuals, companies, foundations, or other entities with the primary purpose of receiving financial support for the City.
- 5.0.4 In-Kind Contributions: A contribution of an item or object other than cash or real property, which would serve a useful purpose in the provision of City services.
- 5.0.5 Restricted Donation: A "Restricted Donation" is a Donation made to the City or its partners where the Donor has restricted its use to a specific purpose.
- 5.0.6 Sponsor: A "Sponsor" means a company, organization or individual who provides the City with funding support for a program, activity or facility in the form of a Sponsorship, and who expects significant recognition in return.
- 5.0.7 Sponsorship: A "Sponsorship" typically means a person or entity that provides the City with financial support for an activity, City program or City facility, typically in exchange for the City providing more than nominal recognition of its financial support, which distinguishes a Sponsorship from a Donation. Financial assistance provided by a Sponsor may consist of cash and/or in-kind contributions.
- 5.0.8 Sponsorship Agreement: A "Sponsorship Agreement" is a negotiated agreement between the City and a company, organization or individual whereby the City makes a Sponsorship opportunity available and enters into an agreement with a company, organization or individual to pay a fee in cash, products, services or a combination thereof, for recognition rights related to certain identified City-owned commercial or marketable assets. A Sponsorship Agreement may permit a limited form of advertising opportunity for a company, organization or individual in exchange for the fee paid to the City, subject to the terms of this Policy and subject to the approval of the City Manager and the City Attorney's Office.
- 5.0.9 Unrestricted Donations: A Donation made to the City where the Donor has placed no limitation on its use.

6.0 PROCEDURE:

6.1 Guidelines for Determining Donation, Sponsorship, and/or Fundraiser Activities

Individual departments shall develop Donation, Sponsorship, and/or Fundraising programs which shall be approved by the City Manager. In its simplest form, a Department program may consist of a memorandum to the City Manager indicating the following:

- a. Goal of the sponsorship, donation, and/or fundraising activities;
- b. Timeframe for the program;
- c. Target audience and method of outreach; and
- d. Procedure for acceptance and reporting of activities, ensuring internal controls.

6.2 Consistency with City Interests

Designated Donations, Sponsors, or Fundraiser Activities may only be accepted when they have a purpose consistent with the City's goals and objectives and are in the best interest of San Clemente. The City must always consider the public trust and comply with all applicable laws when accepting donations. Organizations that qualify for and receive a discount for use of a City facility through an established Partnership Agreement will not be eligible to receive any fee waiver or subsidy if they accept donations or sponsorships from an organization which is in current litigation with the City.

6.3 Sponsorship Agreements

After the selection of a Sponsor by the City Council, City Manager or Department Head, as appropriate, the terms of the Sponsorship, including any expectation of a significant return or recognition, shall be set forth in a written Sponsorship Agreement approved as to form by the City Attorney, as needed.

6.4 Donation Acceptance Guidelines

The acceptance of all donations to the City will be based on the following guidelines:

- a. Purpose of Donation.
- b. Community or municipal need for the Donation.
- c. Compatibility of the Donation with San Clemente Municipal Codes, Policies, and other applicable laws.
- d. Timeliness of the Donation as it relates to implementation.
- e. Level of benefit and financial impact to the City.

6.5 Procedure for Accepting Major Donations

6.5.1 For all donations provided to the City, a Donation Acceptance Form (attached) is required to be completed by the receiving Department Director or the City Manager's Office.

6.5.2 Acknowledgment of the donation should be in writing and be the responsibility of the Department Director who is the beneficiary of the donation. Unrestricted donations shall be acknowledged by the City Manager. A copy of the acknowledgement should be forwarded to the donors.

6.5.3 For all major donations (Section 6.5.4), a staff report, containing analysis based on the donation acceptance guidelines established in this Policy, will be written to guide the City Council when considering major donations. The City Council will determine on a case by case basis if the donation should be accepted or rejected.



**CITY OF SAN CLEMENTE
DONATION ACCEPTANCE FORM**

(Policy No. 204-___)

Name of Donor:

Address:

Description of Donation:

Donation Value:

Intended Use:

Conditions of Acceptance or Donor Designation:

Additional Remarks:

City Department Receiving Donation:

APPROVALS

Approved

Denied

Department Director Signature Date

Approved

Denied

City Manager Signature Date

Approved

Denied

City Council Approval Date

Note: The City of San Clemente cannot guarantee the future funding for repair, maintenance, use or replacement of donated items.



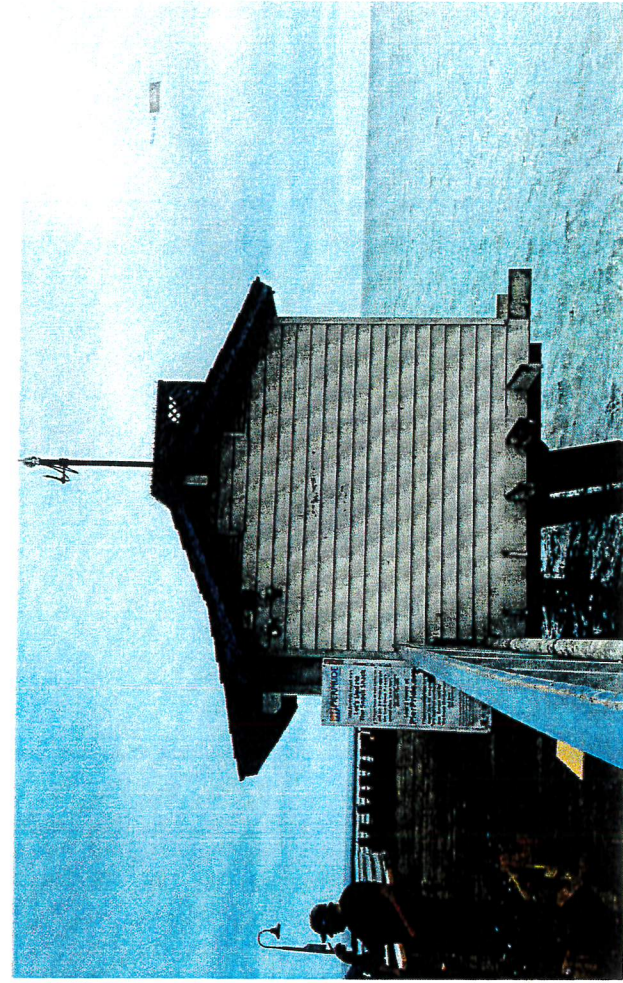
SAN CLEMENTE SNACK SHACK

Weather Vane Concept

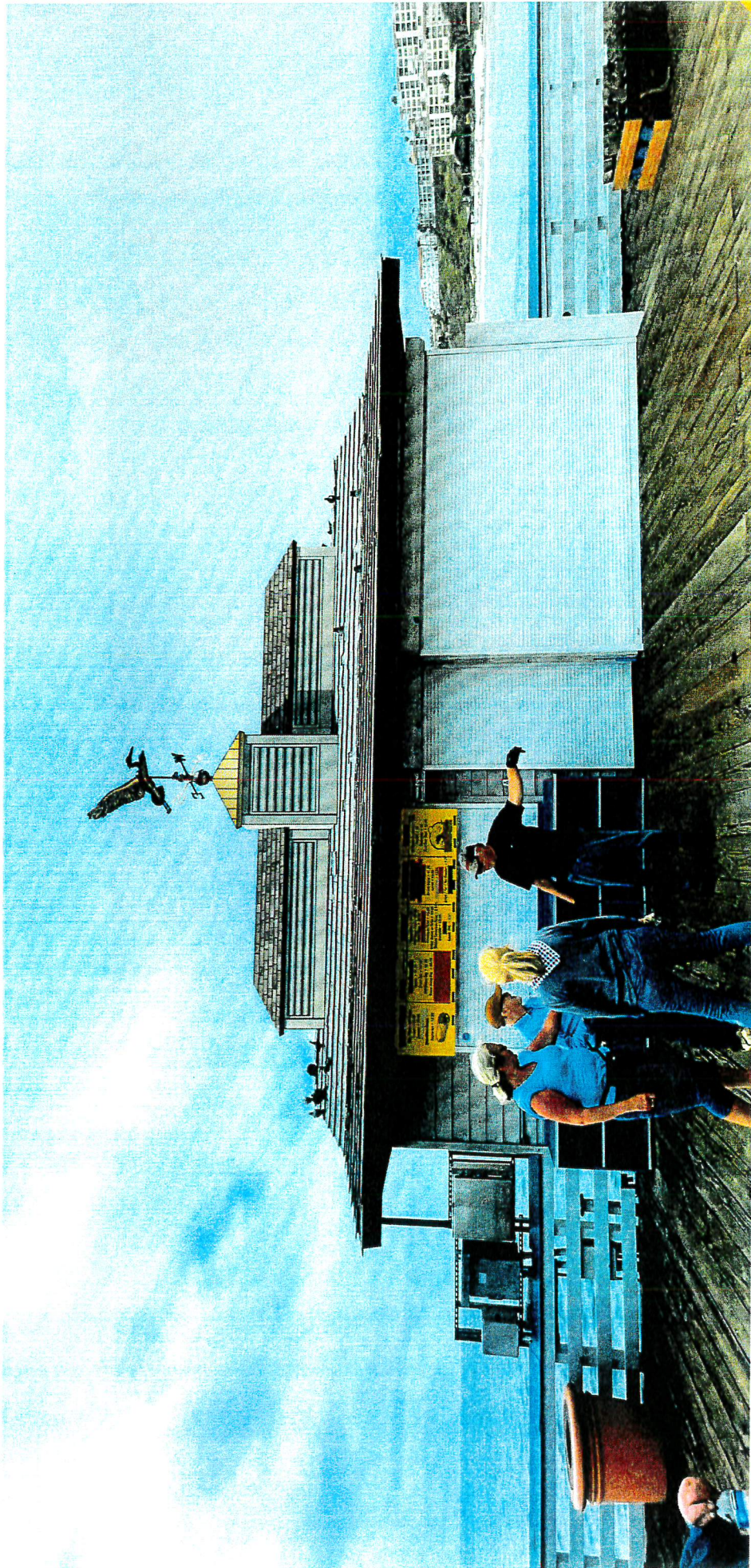
August 1, 2021

rsmdesign

SNACK SHACK
EXISTING CONDITION



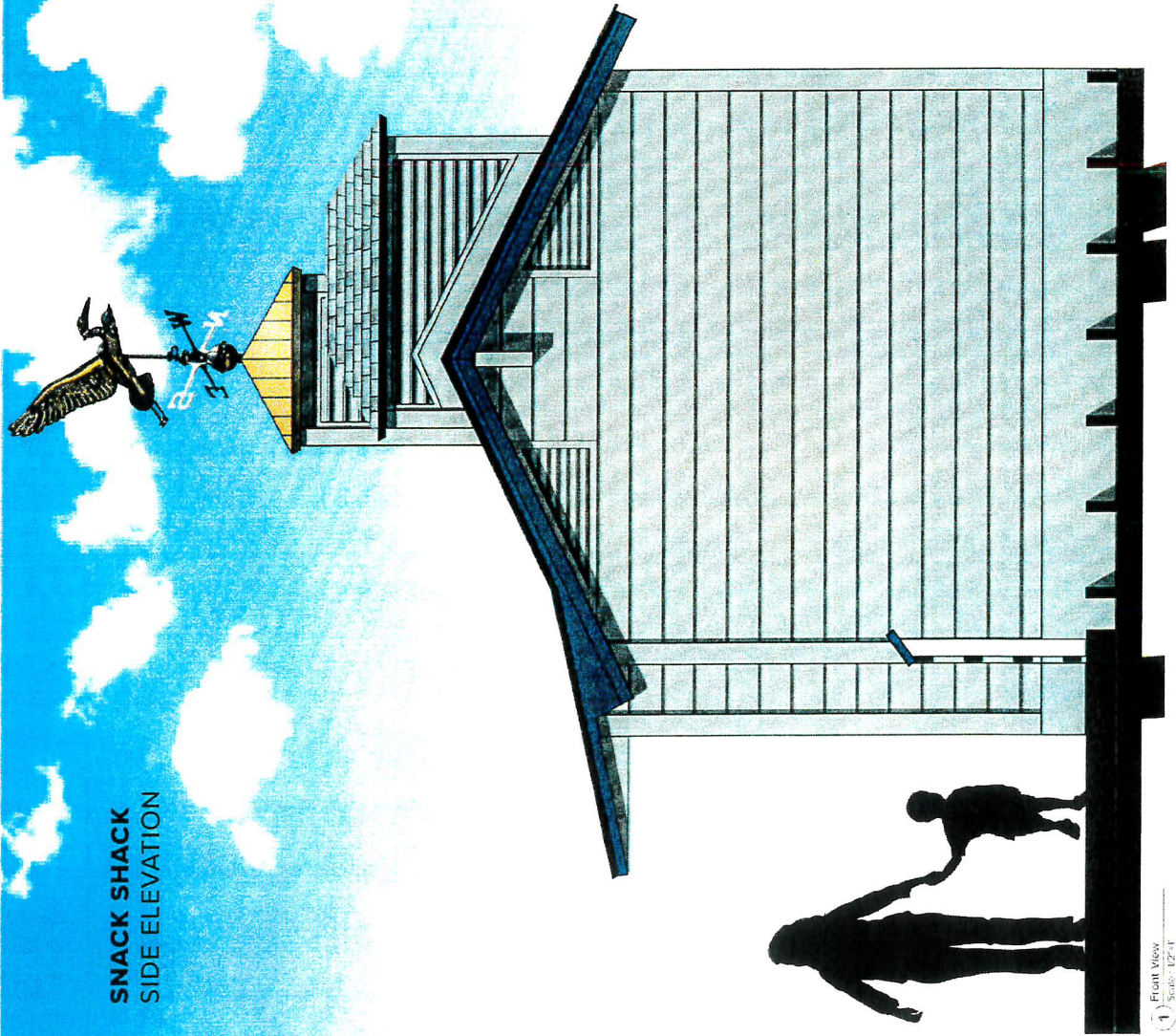
SNACK SHACK
EXISTING CONDITION



SNACK SHACK
FRONT ELEVATION

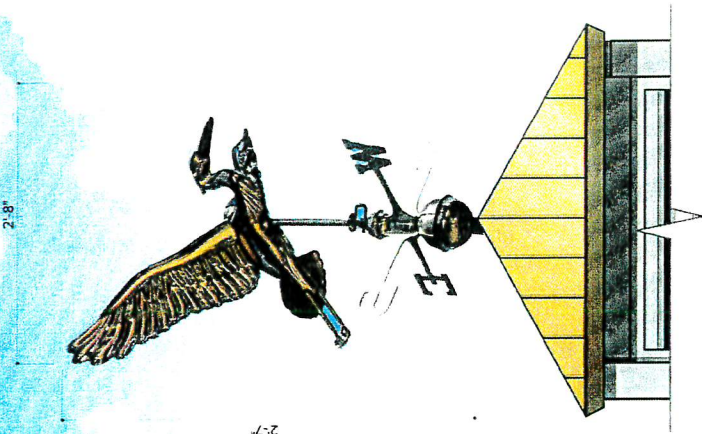


Front View
Scale 1/2"=1'



SNACK SHACK
SIDE ELEVATION

1 Front View
Scale: 1/2"=1'



2 Detail View
Scale: 1"=1'

2-7

SNACK SHACK
RECOMMENDED HERON WEATHER VANE



LARGE HERON WEATHERVANE - 201
WEATHERVANEFACTORY.COM
SKU: MM-201



Tallfred & Crafted by
rsmdesign



**CITY OF SAN CLEMENTE
DONATION ACCEPTANCE FORM**
(Policy No. 204-5)

Name of Donor: PierPride Foundation

Address: P.O. Box 73544, San Clemente, CA 92673

Description of Donation: Install (1) 24-gauge patina copper flying heron; Built to withstand heavy wind, with approximate dimensions: 35"L X 21" H X 32" WS, not including 10"H stainless steel rod and spacers; The directional dimensions are 23" L and 4" lettering; Product manufactured from "The Weather Vane Factory".

Donation Value: Approximately \$3,000


Intended Use: Enhancement of pier concession building and mimic the likes of other weathervanes located on City buildings

Conditions of Acceptance or Donor Designation: Inclusion of sponsor information and weathervane significance through plaque installation on exterior concession stand wall

Additional Remarks: N/A

City Department Receiving Donation: Beaches, Parks and Recreation

APPROVALS

	8/12/2021	<input checked="" type="checkbox"/> Approve <input type="checkbox"/> Deny
Department Director Signature	Date	

		<input type="checkbox"/> Approve <input type="checkbox"/> Deny
City Manager Signature	Date	

		<input type="checkbox"/> Approve <input type="checkbox"/> Deny
City Council Approval	Date	

Note: The City of San Clemente cannot guarantee the future funding for repair, maintenance, use or replacement of donated items.