



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 02/03/2026

ITEM NO: 16

DATE: February 3, 2026
TO: Mayor and Town Council
FROM: Chris Constantin, Town Manager
SUBJECT: **Approve a Council Policy Regarding Adoption of Certain Town Assets**

RECOMMENDATION: Approve a Council Policy entitled Adoption of Assets on Town Owned Property

FISCAL IMPACT:

Adoption of the proposed policy itself has no direct fiscal impact. The policy supports recovery of costs associated with managing the program through Council-adopted fees. The Adopt A Bench program fee will be proposed with the Town FY 2026-2027 Comprehensive Fee Schedule.

STRATEGIC PRIORITY:

This item is not associated directly with a specific strategic priority; however, it aligns with the Town's core goal of good governance.

BACKGROUND:

The Parks and Public Works Department (PPW) has run an "Adopt a Bench" program for many years. There is no known written policy or procedure for this program. In 2024, staff recommended, and the Town Manager agreed, that the program be placed on hold to allow for development of a policy to guide implementation of the program.

As staff evaluated the Town's adopt a bench program and researched asset adoption policies for other jurisdictions, it became clear that adoption of other Town assets may be desirable in the future. As such, the proposed policy was written to address a broad range of potential

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Parks and Public Works Director

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Administrative Services Director

assets that may be adopted. This policy is intended to address any program where a community member would donate money to the Town in exchange for having a commemorative plaque placed at the adopted location. At this time, staff is only proposing to implement the Adopt a Bench program.

Planters would not be considered part of this policy. Staff will return in the future with a separate policy to address planters as they require the interested party to provide ongoing maintenance to care for the planter rather than a donation of funds.

Adopt-A-Bench History

Throughout 2024 and 2025, staff mapped the location of all benches within Town owned open spaces, in parks, and on streets. Each bench has been geolocated and added to the Town’s asset management system and Geographic Information System (GIS) database. The type of bench has been documented. In the case of adopted benches, the plaque inscription has been recorded. Story maps have been created to allow easy access for the public to see the location of all benches in Town and the location of benches available for adoption.

Staff also reviewed all available records associated with existing adopted benches and conducted outreach to request that anyone who adopted a bench contact Parks and Public Works. The intent is to develop complete records of the adopted benches to the maximum extent possible.

Based on the mapping and record research staff determined that a total of 264 benches exist in the Town of Los Gatos park and streets. Of those, 136 include plaques that suggest the bench was adopted at one time. Of those with plaques, staff was able to get contact information for 43 benches. This leaves 93 benches that contain commemorative plaques, but for which no contact information was located through the Department’s outreach efforts.

Staff worked extensively to locate as many past donors as possible. This included researching town files and using social media and print flyers encouraging people with history in the program to contact us. This outreach was effective at locating some donors. Staff also placed phone calls to donors for whom contact information existed, but who did not respond to other forms of outreach. At this time, staff has exhausted their ability to locate past donors.

DISCUSSION:

Proposed Policy

Staff have developed a draft policy (Attachment 1) to guide future adoption of Town assets. While the current need is for a policy regarding benches, it is possible this program might be expanded in the future to allow donations to support picnic tables, barbecue pits, and other

assets. To accommodate this potential future need, the policy was written to apply more broadly. Future asset types would require Council-adopted fees before implementation.

The proposed policy provides a framework for staff to use in managing adopted assets, whereas no framework had existed before. Important issues that are addressed with this policy include:

1. The location of assets for adoption. The policy allows the Director of Parks and Public Works to identify the location of assets for adoption. In the past, residents interested in adopting benches would dictate the desired location of the bench, creating an uneven distribution of benches throughout the Town.
2. Defining responsibilities of the Town with respect to maintenance. Without a policy, the level of maintenance expected of Town staff was unclear. This has been addressed with this policy.
3. Term of adoption and process for renewals. This policy defines the term of adoption as 10 years and the method by which a donor might extend their adoption period. Without this definition, staff was unclear how to manage adopted assets that reached the end of life, and when the donor might no longer want to invest in the asset.
4. Plaque language for adopted assets. The policy provides four options for language on plaques. This ensures consistency of messaging and avoids any potential inappropriate language from being placed in public spaces.
5. Provides for batch processing of adoptions. The policy calls for staff to process adoption applications on July 1st and January 1st of each year. This will allow plaque ordering and installation of assets to occur in batches, rather than as one-off requests. Staff proposed this change to enhance efficiency in ordering and installing assets.

The draft policy was presented to the Town’s Parks and Sustainability Commission at their meeting of December 1, 2025. The Commission recommended that the draft policy be brought to the Town Council with two changes.

The first recommended change was to allow for unlimited renewal terms. Staff had initially suggested that only one renewal term be provided, limiting the potential length of adoption to 20 years. The Commission recommended that the number of renewal periods be unlimited over the life of the asset and bounded by the useful life of the asset. This change has been incorporated into the policy.

The second change recommended by the Parks and Sustainability Commission was to allow for custom messaging on plaques. This creates a concern that staff would need to carefully monitor and research messages for hidden or nefarious meanings which could lead to potential

concerns about free speech infringement. This change has not been incorporated into the policy. If the Town Council would like to pursue this recommendation, staff will need to develop objective criteria for approval of custom messaging and return to the Council with the Policy at a later date.

Future of Past Adopted Benches

As mentioned above, staff was not able to identify the owners of 93 benches with adoption plaques. Available records suggest that these benches were adopted prior to 2015 (after which time Town records are more complete). For these benches, staff will remove the plaques and retain them at the Parks and Public Works offices until June 30, 2027, to allow an opportunity for them to be collected by adopters. After that time, the remaining plaques will be disposed of.

CONCLUSION:

Adoption of the proposed resolution and policy will provide the framework needed for staff to re-initiate the Adopt a Bench program and to implement new adoption programs for other Town assets in the future. If the policy is adopted, staff intends to restart the Adopt a Bench program on July 1, 2026.

COORDINATION:

This staff report has been coordinated with the Town Attorney.

ENVIRONMENTAL ASSESSMENT:

Adoption of an administrative policy does not constitute a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301 and 15378(b)(5).

Attachments:

1. Draft Policy “Adoption of Assets on Town Owned Property”