



The Corporation of the City of Courtenay

Staff Report

To: Council

File No.: 6200-05

From: Director of Recreation, Culture and Community Services

Date: July 31, 2024

Subject: Memorial Bench Program Options

PURPOSE: To present information to Council in regards to options for a memorial bench program, or alternative memorial process, and bring forward recommendations for a Memorial Bench Program Decommissioning Policy.

EXECUTIVE SUMMARY:

The City suspended its Memorial Bench Program in 2008 due to demand far exceeding the availability of memorial bench locations. In May 2019, Council formally approved discontinuation of the program after it was determined it was not a financially sustainable service. As such, the Memorial Bench Program has not been active for 16 years.

The report provides an overview of four memorial program options for Council's consideration:

- Option 1: Develop a Memorial Bench Donation Program and Policy with fees set at 100% cost recovery.
- Option 2: Develop a Memorial Bench Donation Program and Policy with fees set at 75% cost recovery.
- Option 3: Create a Donation Policy to fund parks and recreation operations or maintenance, programs, and or capital projects.
- Option 4: Do not develop any further memorial programs and promote existing memorial options in the Courtenay Civic Cemetery and other community memorial programs.

All options require considerable time and administrative resources to plan and implement a new program and associated policy.

Staff are recommending Option 1: Develop a Memorial Bench Donation Program and Policy with fees set at 100% cost recovery to ensure the program is financial sustainable and to ensure that the memorial program and policy are developed in such a way as to address the key reasons that the original program was put on hold and subsequently discontinued.

BACKGROUND:

The Memorial Bench Program ran from 1997-2008 and was then suspended when the demand for benches far exceeded the availability of memorial bench locations, especially in preferred areas. Memorial Bench program waiting lists were established as a placeholder to address those interested in participating in the program. Staff records indicated the department received 120 waitlist requests between (2008 and 2019). In May 2019, Council formally discontinued the program after it was determined the program was not a sustainable service as the level of taxpayer subsidization for each memorial bench was much higher than originally expected.

Staff also reported that memorial bench programs have an unintended and inevitably higher service level than other similar services due to the personal expectations of donors for maintenance and upkeep of the specific memorial asset. There was a general expectation by participants that memorials would be maintained in perpetuity despite that the program had clearly stipulated 10-year terms. However, as the contract was only witnessed by the signatory, other family members often misunderstand the contract term and have trouble accepting that the term does expire. Even when the contract is clearly stated and understood, the emotion associated with the benches often leads to public complaints or outcry to help overturn the contractual clauses.

According to staff records, there are approximately 207 memorial benches that were installed through the original memorial bench program and all have expired contract terms. Staff would need to survey the locations on record to determine the condition of the benches and whether the plaques are still in place to determine what is the current number of memorial benches still in service.

A staff report was presented to Council on April 1, 2019 (see Attachment 1) that recommended the formal discontinuation of the memorial bench program. Council resolved to postpone consideration of the staff report until the May 21st, 2019 meeting in order to provide the public an opportunity to forward thoughts related to the memorial program to staff and Council for consideration.

At the May 21, 2019 Council meeting, after further discussion on the options identified in the April 1, 2019 staff report and reviewing the public feedback on the issue, Council resolved the following:

“THAT based on ... 2019 staff report “Memorial Program”, Council adopt OPTION 1 and direct staff to discontinue the existing memorial program”

As a follow-up to the direction above, staff identified to Council that the final steps to the cancellation of the memorial program included returning to Council with options for an alternative memorial process supported by a decommissioning policy for the existing memorial benches. The next steps included the following considerations:

1. Communication plan to notify persons on the waitlist that the program has officially been cancelled and provide other options available through the cemetery memorial program or community programs.
2. Policy options for the decommissioning of existing memorial benches and notifying the existing participants of the programs cancellation.

Communications to notify persons did not occur after the program was cancelled in 2019. Furthermore, direction from the former Director of Recreation and Culture was to hold off contacting waitlisted persons until memorial alternatives were available. As a result of the COVID-19 Pandemic in 2020, staff resources to address this additional work were redirected to other priorities.

The following resolution was passed at the March 14, 2022 Council meeting whereby Council directed staff to prepare a report with options for a memorial bench program or options for an alternative memorial process:

“THAT Council direct staff to bring back a staff report with options for a Memorial Bench Program or options for an alternative memorial process.”

DISCUSSION:

Staff have carried out a scan of memorial programs available in other local government communities and have considered them in identifying the options for Council’s consideration. Many communities approach memorial bench programs with the lens of accessing additional funding to support the installation of desirable amenities throughout the local area. Memorial programs however add a layer of complexity that requires well thought out policy and increased administrative oversight and response.

With the program last active in 2008, the reinstatement of the Memorial Bench Program will be equivalent to the City establishing a new service given that the program has not been place in 16 years. Reinstating a memorial bench program would require substantial administrative effort to develop a well-designed memorial program that proactively addresses the key reasons that led to the original program being discontinued. This would include ensuring the program is financially sustainable and supported by a Council approved memorial bench donation policy.

A successful memorial bench program would need to consider the following implications:

- Clear and well-defined program policy, procedures and public notification.
- Fees and charges with Council approved cost recovery targets outlined in a bylaw.
- Review and implementation of effective contracts to manage expectations and ensure confirmation of the donor’s acceptance of the contract terms.
- Mapping of available (existing and new) memorial bench locations that predetermine approved locations based on the Parks and Recreation Master Plan and park planning best practices, and limits the number of locations available in popular locations appropriately.
- An online application form to reduce staff administrative time required to process applications.
- Coordinated installation of assets and plaques.
- Systems for tracking and maintaining contact with donors over the course of the contract.
- Reviewing available bench locations annually, including consideration for expiring bench contracts and renewal options.
- Guidance on implications from maintenance, as well as decommissioning and replacing benches when they are at the end of their service life.
- Limitations on installation quantities based on operational capacity (estimated at 20 benches per year).

Memorial Program Options

Option 1: Reinstatement of the Memorial Bench Program at Full Cost Recovery (recommended option)

Reinstatement of the memorial bench program would need to address all of the aforementioned considerations and would require approximately one year to develop the necessary policies, procedures, and bylaws in order to effectively launch the program.

Following the development of the program, a program could be launched whereby fees are set at full cost recovery whereby no tax funded subsidization is applied towards the administration, installation, maintenance or repair of a memorial bench over a proposed 10-year term. The fees would be brought into a fees and charge bylaw and reviewed and updated every few years to ensure 100% of the costs are recovered.

At the end of the 10-year term, the memorial bench donor would be provided an opportunity to renew the contract at the relevant cost recovery rate established by the fees and charges bylaw at the time, with consideration in the fees for the renewal of the plaque as compared to the requirement of installing a new bench if it has reached end of life. Alternatively, the program may consider lengthening the contract term to coincide with the expected memorial bench useful life term. Although a 10-year term is the standard contract term for a memorial bench in other local government organizations, other jurisdictions have a contract term on the low end of eight years and as high as 15 years or have separate contract terms based on the type of bench installed and the life expectancy based on the materials of the bench.

Memorial Bench Estimated Cost:

The fee to install a memorial bench with a customized plaque in 2008 was \$1,100.

A high-level review of the current direct costs that would be required to administer and install a memorial bench is approximately \$4,300. Should the fee remain the same as in 2008 (\$1,100) it would represent a taxpayer subsidization of approximately 74% of the actual costs. A breakdown of the memorial bench cost estimate to reactive the program today is included in Attachment 2.

As identified in the April 1, 2019 Council staff report, the 2008 fee represents a high level of subsidy to individual memorial bench program donors. According to the Recreation Fees and Charges Framework (2022), where an individual receives direct benefit from a service, there should be a reduced level of subsidization as the user of the service receives increasing levels of direct interest. Should the re-start of the memorial bench program be considered, the setting of the fee can be established based on the Recreation Fees and Charges Framework benefits-based continuum as illustrated in Table 1 below.

Table 1: Recreation Fees and Charges Framework, 2022 – Benefits Continuum

Benefits Continuum					
Who Benefits	Community only	Mostly the community and partially the user	Community and user equally	Mostly the user and partially the community	User only
Who Pays	0% User Fee 100% Tax Support	25% User Fee 75% Tax Support	50% User Fee 50% Tax Support	75% User Fee 25% Tax Support	100% User Fee 0% Tax Support

Given the high individual benefit a participant receives from a memorial bench program, the fee could be established at 100% cost recovery with 0% tax support. Additionally, memorial program participants typically have service expectations due to the personal connection with the bench which can result in higher levels of service than publicly funded amenities, further supporting the full cost recovery recommendation. Under Option 1, the proposed fee for a memorial bench will increase to approximately \$4,300 for a full cost recovery model.

Municipal Comparison:

A scan of memorial bench fees charged by other local governments that have active memorial bench programs in place shows the City's 2008 established fee of \$1,100 is well under the current industry fee. It is important to note that staff cannot directly compare the proposed memorial bench program fee with others from a cost recovery perspective, as very few organizations establish fees based on full cost recovery. The one exception is the Regional District of Nanaimo which does establish its fee at full cost recovery through its Amenity Donation Program Policy.

Table 2: Memorial Bench Fee Comparison

City of Vancouver	\$8,500
Regional District of Nanaimo	\$4,000
District of Saanich	\$3,300
City of Powell River	\$3,000
City of Parksville	\$3,000
City of Penticton	\$2,700
City of Campbell River	\$2,800
Town of Qualicum	\$2,500
Average Memorial Bench Fee:	\$3,725

Advantages: By reinstating the Memorial Bench Program at 100% cost recovery, the City will develop a sustainable self-funded program that is based on full cost recovery while also securing important community amenities. Additionally, memorial program options do not need to be limited to memorial benches and could expand to include picnic tables, bike racks and trees which can also be considered as part of the program and follow the same 100% cost recovery model.

Disadvantages: A memorial furnishings program requires significant administrative time to establish. Based on the current workplan priorities it will take a year to re-establish a memorial program. Developing a new program includes activities that include but are not limited to: development of a memorial amenity policy, mapping of all current and potential future locations, creation of forms and contracts, and development of a communications strategy to help manage past donors, waitlisted donors, and future donors. Although there is potential to add more benches to existing parks, there is a risk that all the established locations, once filled, will result in a similar situation that the City faced in 2008 when the program needed to be put on hold and interested participants waitlisted. This was a similar scenario faced by the Comox Valley Regional District and the City of Port Alberni in their respective memorial bench programs.

Option 2: Reinstate the Memorial Bench Program at 75% Cost Recovery

Under option 2, the bench program would require the same program development considerations as identified in option 1, however considering the memorial bench is available to the public to utilize in a park or on a trail, it could be placed further along the benefits-based continuum where mostly the user benefits (through the dedicated plaque for 10 years) and partially the community benefits. This would place the memorial bench program at 75% cost recovery.

Based on this scenario, the fee would be set at approximately \$3,225 and would be closer to the average memorial bench fee other jurisdictions are charging. Similarly, to Option 1, costs would be reviewed on a regular basis to ensure the service is being recovered at 75% of cost and the fee will be brought into the fees and charges bylaw.

Advantages: By reinstating the Memorial Bench Program at 75% cost recovery, the City will develop a program that is based on a portion of the costs being recovered directly by the individual participating in the

program and the remaining portion being funded by the taxpayer - recognizing the park amenity is available to the public to utilize. As with option 1, the memorial program option does not need to be limited to memorial benches. Memorial picnic tables, bike racks and trees can also be considered as part of the program and follow the same 75% cost recovery model for determining the fee.

Disadvantages: Option 2 would share the same disadvantages as identified in Option 1.

Option 3: Create a Parks and Recreation Donation Policy

Option 3 would direct staff to develop a donation or gift policy. Based on a review of other local governments that have a donation or gift policy or program in place, there are the following common features:

- a. A variety of donation options are provided:
 - Donations toward different funds: neighborhoods, amenities, parks. No minimum or maximum amount.
 - Endowments: donations that generate interest that is equal or above a certain value can be directed towards identified areas such as park conservation, recreation, community centres, playgrounds, or project endowments; trail rebuilding, protecting an environmentally sensitive area, invasive species removal, replanting native trees.
 - Gifts to City Parks or Recreation facilities: Estate gifts to the City, through a will sum or percent of estate or beneficiary to lift insurance policy.
- b. Established recognition levels associated with the amount or nature of the donation. Donations in excess of a benchmark amount may receive a plaque or sign, donations of less than that benchmark could receive a certificate of acknowledgement. Other considerations include: public announcements, participation in official opening or public unveiling ceremonies, webpage or other acknowledgement as approved by a designated staff member.
- c. City website landing page detailing each donation option with an online donation forms to reduce the in person administrative time required to process donations. This also allows for anonymous donations.

Advantages: This option helps provide an alternative funding sources for park spaces, park amenities or improvements that are funded outside of property taxation. Provides a sliding scale of amount of donation which lowers the barrier to participation.

Disadvantages: Does not provide a memorial option that matches the impact of a bench or other park asset with a plaque affixed on it at a fixed location where the donor will be able to physically visit. Administration of donation programs and funds requires extensive administration support which is often tax subsidized so as to avoid using donated funds towards administrative resources. The development of a donation policy would require significant time and administrative resources and would require a further report back to Council on implications, resources required, and timelines.

Option 4: Promote existing memorial programs in the Courtenay Civic Cemetery and Community

Other existing memorial alternatives within the community could be promoted or included as part of the decommissioning strategy to satisfy the outstanding community requests. As discussed in the 2019 staff report, these alternatives may include:

- a. Existing City of Courtenay Civic Cemetery Memorial Programs (see Attachment 3):

- a. Two options are available to the public through a memorial program in place in the Scattering Garden in the Courtenay Civic Cemetery. This includes memorial boulders with plaques or bronze plaque placed on a granite memorial book.
- b. Referrals to community memorial programs:
 - a. The City could compile a list of community partners that offer memorial options which may include cultural partners, adjacent local government organizations, private gardens, businesses, institutions, etc. For example:
 - i. The Sid Williams Theatre (City cultural partner) offers commemorative seat plaques.
 - ii. At Christmas anyone who would like to honour the memory of a loved one can include their name(s) on decorative tags, which will be added to the Memory Tree at the Comox Valley Hospice.
 - iii. Donating to the Comox Valley Healthcare foundation can result in recognition in the donor wall at the hospital along with ensuring the mission of ensuring the pursuit of the best healthcare available.

Advantages: Directing memorial request to existing programs in place does not require any additional costs associated with a new memorial bench program. Courtenay Civic Cemetery memorial items are located in an area that is appropriately funded and, in a location, set aside by the City for memorials to be in place in perpetuity, matching the participants expectations.

Disadvantages: By restricting the memorial options to the Cemetery, the City may be missing an opportunity to provide additional park amenities to the public through a financially sustainable model proposed in Options 1 and 2.

OTHER CONSIDERATIONS:

Memorial Bench Programs Within Local Government in the Comox Valley

The Comox Valley Regional District (CVRD), Town of Comox and Village of Cumberland, all currently do not have active memorial bench programs. The Village of Cumberland is not planning to provide any sort of memorial option for parks infrastructure due to the significant administrative and logistical requirements to manage such a program. The Town of Comox is in the process of considering options for a memorial bench and tree program which will be considered by the Town's Council at a future date.

In May 2023, the Comox Valley Regional District (CVRD), removed its standard gift options (50 native plants, benches, tables, kiosks, park entrance signs) from its Leave a Legacy program for the following reasons:¹

- Demand far exceeded the available locations for new benches. A majority of the demand is for benches in existing popular parks and trails that already have a sufficient number of benches that have dedication plaques in place.
- Concerns surrounding fiscal responsibility whereas the current memorial fee only covered a fraction of the actual cost to purchase, install and maintain a memorial bench;
- The cost to participate could be a barrier for all to participate. This can be perceived as a social inequity. The program unintendedly creates the ownership of a public asset.
- Concerns that this program reflects a colonial mindset which may not be consistent with CVRD's commitment to reconciliation.

¹ May 30, 2023 Comox Valley Regional District [Staff Report – Leave a Legacy Program Review](#)

- Concerns whether private memorials are appropriate in public parks.
- There is no consideration for the merit or contributions of the subject being memorialized to the community as applications are processed on a first-come, first serve basis and no vetting process is in place.

Outstanding Demand and Waitlists

Should Council reinstate the Memorial Program, the outstanding demand for memorial benches from the CVRD may shift to the City and result in additional waitlists. There are currently over 100 people on the City's waitlist as a result of interested donors requesting the same popular location such as the Airpark. Due to the length of time that has passed since the waitlist was established, the interested parties may have found other alternatives. However, if there is still interest, we anticipate there still being a demand for the same popular locations as experienced with the CVRD and the City of Port Alberni.

Decommissioning Policy

As outlined to Council at the May 21, 2019 meeting, staff identified the need to develop a communication plan for notifying waitlisted individuals and existing memorial bench program participants that the memorial program has been cancelled and to formulate a memorial program decommissioning policy. All memorial benches and other memorial items from the original program would have been in service for 10 plus years and would need to be replaced at a future date.

Regardless of Council's direction regarding options for a future memorial program, staff are recommending that all current memorial benches and other memorial items (put in place under the previous, now terminated program) be decommissioned as follows:

- If Council chooses not to start a new memorial bench program, all past participants will be notified of Council's decision to discontinue the program in 2019, and with the contract term of the donated item fulfilled, all plaques will be removed and returned to the original donor on file or stored for a period of up to one year if staff cannot contact the original donor.
 - Persons on the waitlist will also be notified of Council's decision to discontinue the program and their contact information will be removed from City records.
- If a memorial bench program is reinstated by Council, staff would connect with all past participants to offer them the first right of refusal to purchase a memorial bench under the new program and the new fee as established by the fees and charges bylaw. If the donor cannot be reached, the plaque will be removed and stored for a period of up to one year and the location will be made available to individuals on the waitlist.

This final step would establish the conditions of the memorial benches currently in inventory and communicate that the City has fulfilled its contractual obligation.

A Council endorsed decommissioning policy supports staff with the potentially challenging conversations that are expected once people are contacted and notified that the existing memorial benches are being decommissioned as they have far exceeded the contractual terms. Staff anticipate these challenging conversations based on the experience of other communities who have cancelled their memorial bench programs.

NEXT STEPS:

Should Council proceed with Option 1 or Option 2, staff will return with a staff report detailing the new Memorial Bench Program that includes a memorial amenity donation policy as well as recommended fees and charges. The policy will outline the process, terms and conditions for a donor to participate in the memorial program. Due to existing workplan priorities, the timeline for this staff report will be in 2025.

Staff would start contacting donors to inform them that the memorial bench program will be restarted and they have first right of refusal to donate a new bench at the existing location. Once all donors have been contacted and have confirmed they are not interested in participating, or alternatively donors cannot be reached or have not responded after three months of notice, waitlisted persons will be notified that the program will restart at a later date and asked if they are still interested in participating.

POLICY ANALYSIS:

Official Community Plan, 2022

Parks and Recreation Objective 2: Recreation amenities, services, and programming are expanded and enhanced to support increased health, wellness, and social connections for all residents.

FINANCIAL IMPLICATIONS:

Option 1

The anticipated impacts to the 2025 operational budget would be net zero as the required operational expense to start and implement a new memorial program will be offset by the fees collected for the memorial program which will be set at 100% cost recovery. The full financial implications will be reported back to Council alongside the memorial bench program donation policy.

Option 2

The anticipated impact to the 2025 operating budget would be approximately \$21,500 based on a 25% tax subsidization / 75% tax recovery of the memorial program and an estimated 20 new memorial benches being installed each year.

Option 3

The anticipated cost to develop a donation policy is unknown at this time. Should Council choose Option 3, staff would report back with the cost, timelines, and proposed process for approval.

ADMINISTRATIVE IMPLICATIONS:

The administration and operational implementation of a new memorial program will be determined and established based on an internal review of how best the program would be delivered organizationally.

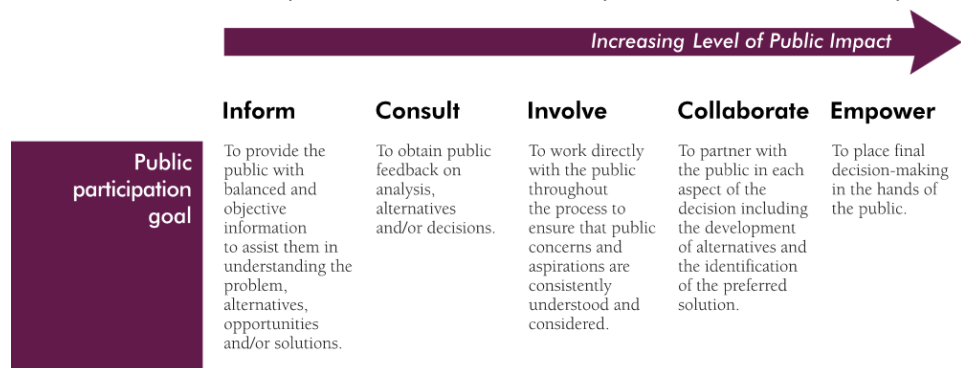
STRATEGIC PRIORITIES REFERENCE:

This initiative addresses the following strategic priorities:

- Financial Sustainability - Review City Financial processes: Review fees, charges, and fines

PUBLIC ENGAGEMENT:

Staff would inform the public based on the IAP2 Spectrum of Public Participation:



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OPTIONS:

1. THAT Council direct staff to develop a new memorial bench donation program and return to Council with a staff report on the memorial program that includes a Memorial Bench Donation Policy; and
THAT the memorial bench donation program establish its fees at 100% cost recovery. **(Recommended)**
2. THAT Council direct staff to proceed with the decommissioning of existing memorial benches as outlined in the “Memorial Bench Program Options” report. **(Recommended)**
3. THAT Council direct staff to develop a new memorial bench donation program and return to Council with a staff report on the memorial program that includes a Memorial Bench Donation Policy; and
THAT the Memorial bench program establish its fees at 75% cost recovery.
4. THAT Council direct staff to report back on timing, resources, and implications of developing a Parks and Recreation Donation Policy that would accept financial donations to fund park or recreation programs, operations and maintenance, amenities, and or capital projects.
5. THAT Council provide alternative direction to staff.

ATTACHMENTS:

1. Staff Report DRCS 2019-04-01 Memorial Program and Public Feedback on the April 1, 2019 Staff Report
2. Memorial Bench Estimated Cost
3. Courtenay Civic Cemetery Brochure

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