



DATE: January 14, 2019

AGENDA ITEM # 3

**TO:** Environmental Commission

**FROM:** Sarah Henricks, Interim Staff Liaison

**SUBJECT:** Review and discuss Los Altos Community Foundation Environmental Education Fund

**RECOMMENDATION:**

Review and take action, as appropriate, on funds available through the Los Altos Community Foundation Environmental Education Fund

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**BACKGROUND**

In November 2003, the Los Altos Community Foundation, LACF, entered into a Donor Advised Fund Agreement with the Los Altos Environmental Commission (formerly the Los Altos Environmental Committee) for the purposes of creating and maintaining an Environmental Education fund, “the Fund”. The Fund is maintained and administered by LACF and was initially created for the purpose of funding the reprinting of the *Trees of Los Altos* booklet. Upon an initial grant of \$1,000 by LACF, the fund received donations from the public to aid in the printing and distribution of the *Trees* booklet. The books were printed and distributed, though LACF reports hundreds of copies remaining in storage. The current balance of the account is \$3,528 and is to be used specifically for “environmental education”.

**DISCUSSION**

LACF has informed the City that the \$3,528 balance remains available for environmental education efforts. The Environmental Commission has the authority to make recommendations to LACF for disbursement of the funds.

The Environmental Commission shall discuss potential uses for the fund.

Attachments:

- A. Correspondence from LACF
- B. March 24, 2003 Memorandum to Environmental Committee
- C. March 18, 2004 Memorandum to City Council
- D. November 2003 Donor Advised Fund Agreement

**Sarah M. Henricks**

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**From:** Joe Eyre <joe.eyre@losaltoscf.org>  
**Sent:** Monday, December 10, 2018 5:28 PM  
**To:** Don Weiden; Sarah M. Henricks  
**Subject:** Environmental education fund at LACF  
**Attachments:** Memos regarding Trees of Los Altos.pdf; Environmental Education Fund DAF Signed 11-03.pdf

Hi Don and Sarah,  
 Hope things are well.

I wanted to make you aware of a fund that LACF has had for many years, called the Environmental Education Fund. It was originally set up so donors could contribute toward reprinting of the Trees of Los Altos book. That was done and there was money left over in the fund (currently the balance is \$3,528).

I conversed with J about this sometime back, but we never acted on it. Bottom line, the fund's use is to be directed by the City and can be used for "environmental education". I thought if the EC had some ideas on how to spend the money, then it could be used rather than sitting here dormant.

Below is some more info. You might look it over and consider how it might be used.

Best,  
 Joe

PS: We have hundreds of the Trees of Los Altos book in our attic. If the City is open to it, we could put free copies in the lobby at City Hall for anyone to take.

**Give back to your community - simply and effectively - through Los Altos Community Foundation!**

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Joe Eyre, Executive Director

**Los Altos Community Foundation** | 183 Hillview Avenue, Los Altos, CA 94022 | Tel: 650-949-5908

| [joe.eyre@losaltoscf.org](mailto:joe.eyre@losaltoscf.org) | [losaltoscf.org](http://losaltoscf.org) | [LACF Facebook](#)

Today, you can support local nonprofits and causes through [LACF funds](#)

Forever, you can leave a [LACF legacy gift](#) to support the community as part of your estate planning.

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----- Forwarded message -----

**From:** Joe Eyre <[joe.eyre@losaltoscf.org](mailto:joe.eyre@losaltoscf.org)>  
**Date:** Fri, Oct 7, 2016 at 2:10 PM  
**Subject:** Fwd: Environmental education memo and agreement  
**To:** J Logan <[jlogan@losaltosca.gov](mailto:jlogan@losaltosca.gov)>

Hi J,  
 Thanks for the call. Attached is the signed agreement and also a memo you sent me way back when on this topic.

Joe

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----- Forwarded message -----

From: **J Logan** <[jlogan@losaltosca.gov](mailto:jlogan@losaltosca.gov)>

Date: Thu, Jan 9, 2014 at 7:54 PM

Subject: RE: Environmental education fund and Trees of Los Altos books

To: J Logan <[jlogan@losaltosca.gov](mailto:jlogan@losaltosca.gov)>, Joe Eyre <[joe.eyre@gmail.com](mailto:joe.eyre@gmail.com)>

Cc: Marcia Somers <[msomers@losaltosca.gov](mailto:msomers@losaltosca.gov)>

Hi Joe,

I'm attaching a memo that outlines and explains the details, history and intention of the "Trees of Los Altos" book and the disposition of the revenues as approved by Council.

This memo will be in the EC agenda packet as an attachment to the Environmental Educational Fund agenda item.

Thanks, jL

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## M E M O R A N D U M

**DATE:** March 24, 2003

**TO:** Environmental Committee

**FROM:** David Kornfield, Associate Planner

**SUBJECT:** TREES OF LOS ALTOS BUDGET INFORMATION

This memorandum is to outline the fiscal alternatives for the funding of the Trees of Los Altos booklet. As a matter of background, the Committee has a \$1,000 seed money promise from the City Council and a \$1,000 grant promise from the Los Altos Community Foundation (LACF) to help develop the update of the booklet. The Committee is faced with making a decision on how to administrate the funding for the project. There are three fiscal options:

1. Ask the City Council to appropriate the seed money and accept the LACF grant now. This option creates a need to use the money by the end of the fiscal year (by June 30, 2003).
2. Ask the City Council to include the seed money in next year's budget (2003-2004). After, June 30<sup>th</sup> of this year ask the Council to appropriate the seed money and accept the LACF grant. We may have to get the LACF grant extended in this case if it is tied to the 2002-2003 fiscal year.
3. Ask the City Council to consider the tree booklet update as a Capital Project. This option is not tied to the fiscal year budget cycle.

The process would be to prepare a memorandum to the City Council that outlines the project scope, the proposed budget and the preferred fiscal process. Here are three scenarios:

- a. Ask the City Council to cover the entire booklet cost. This could be as a capital project or as an appropriation.
- b. Ask the City Council to allow the Committee to solicit grants to cover the project, but ask the City Council to underwrite the project if there are grant shortfalls.
- c. Ask the City Council to allow the Committee to solicit grants to cover the project. If not enough funds are raised, then either pare the project or ask the City Council for financial help.

DK/tms



## MEMORANDUM

**DATE:** March 18, 2004

**TO:** City Council

**FROM:** Environmental Committee

**SUBJECT:** *TREES OF LOS ALTOS* BOOKLET

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### RECOMMENDATION

Motion to endorse and authorize the publication of the *Trees of Los Altos* booklet.

### BACKGROUND

Over the last two years the Environmental Committee has worked to update the *Trees of Los Altos* booklet that was first published in 1970. The intent of the project was to update the tree inventory and to publish a new booklet to educate residents on the value of the City's trees.

On October 21, 2003 the City Council authorized the Environmental Committee to finalize the design for the update to the *Trees of Los Altos* booklet (up to \$1,000) and to enter into a donor fund agreement with the Los Altos Community Foundation to administrate the booklet's finances.

### DISCUSSION

The Environmental Committee updated the *Trees of Los Altos* booklet in the following ways. The Committee redesigned the booklet as an entirely color document versus the original black and white format. The new edition omits a few trees that no longer exist and adds several new species. The update adds references to City regulations, lists trees that do well in utility corridors, suggests appropriate trees for creekside areas, catalogs oak root fungus resistant trees, offers care tips for old Oak trees, presents a calendar of trees with flowers or brightly colored leaves, and has a map of the Civic Center trees.

The Environmental Committee believes that the updating of the booklet befits neighborhood beautification, tree conservation, community education, community building, and supports community and volunteer organizations as follows:

- Neighborhood Beautification—the booklet helps residents care for and appreciate the trees in Los Altos. It recognizes property owners who take pride in significant trees, adding to the unique character of the City;

- Tree Conservation—the booklet is a resource to raise community interest in the wise selection and care of trees;
- Community Education—the booklet informs landscapers, property owners and city staff on the characteristics of street trees, the City’s Tree Protection Regulations, trees suitable for use under power lines, trees to plant near streams, trees that are resistant to Oak root fungus, how to care for old Oak trees, and a calendar of trees with flowers or brightly colored leaves;
- Community Building—the booklet contains a map of trees at the Civic Center. The booklet encourages residents to take “tree walks” in neighborhoods such as the Civic Center. Tree walks promote health and exercise, and facilitate meeting neighbors and new people in other parts of the city; and
- Support for Community/Volunteer Organizations— the booklet supports local community and volunteer organizations as a fundraising resource.

Subsequent to the last meeting with the City Council, the Environmental Committee received a private grant from Bob and Marion Grimm to cover the publishing costs. The publishing costs range from \$12,000 to \$14,000 for a run of 3,000 booklets. The Grimm’s grant is intended to encourage fundraising for local community and volunteer groups. Therefore, the Committee seeks no additional funding for the booklet’s publication.

With the City Council’s concurrence, the Environmental Committee will publish the booklet. Reference copies will be given free of charge to the Los Altos Library, all local school libraries and senior centers. A majority of the booklets will be available for free to local community and volunteer groups including the History House for their fundraising purposes. City Hall and the History House will offer the booklet to the public for purchase. The public sales through City Hall and the History House are not expected to generate large sums. Any proceeds from the public sales would go in to the general fund. If authorized by the City Council, proceeds from the public sales could fund the Environmental Committee’s environmental education fund through the Los Altos Community Foundation. The Los Altos Community Foundation will handle the distribution and bookkeeping for the *Trees of Los Altos* booklet. The City holds the book’s copyright so revisions can be made easily in the future. Although the Environmental Committee presents this distribution model as a working concept, it welcomes any City Council direction.

### **ALTERNATIVES**

The City Council may defer publication of the booklet to refine its format or content.

David Kornfield, AICP  
Associate Planner and staff liaison to the Environmental Committee

EC/dk

## DONOR ADVISED FUND AGREEMENT

This Agreement is made on November <sup>2003</sup> ~~2000~~; by and between <sup>The Los Altos</sup> Environmental Committee (hereinafter referred to as "Donor " and the **Los Altos Community Foundation**, (hereinafter referred to as "LACF," a California nonprofit public benefit corporation, located at 183 Hillview Avenue, Los Altos, 94022.

The Donor agrees to create and maintain with the **Los Altos Community Foundation**, a **Designated Fund** ("the Fund") for the purpose of Environmental Education under the following terms and conditions:

**FIRST:** The **Fund** shall be known as <sup>The Los Altos Environmental</sup> Education Fund, a separately identifiable part of LACF Assets. The Fund shall be identified by this name by LACF and its Board of Directors in the course of administration and distribution thereof.

**SECOND:** It is anticipated by all parties to this agreement that from time to time assets will be donated to the **Fund** for the purpose stated above. If contributions other than cash are made to the **Fund**, such contributions must first be approved by LACF. All contributions shall be administered and distributed in accordance with the terms and conditions of this Agreement.

**THIRD:** It is understood and agreed by all parties that all assets contributed to the **Fund** shall become an irrevocable gift to the Foundation and legal control and responsibility for the **Fund** rests with the Foundation. In carrying out such responsibilities, the Foundation shall hold, manage, invest, and reinvest the **Fund**, and shall collect the income and shall pay and disburse moneys from the **Fund** for the Fund's purpose in accordance with the recommendations submitted by **Donor's** designated **Advisors**, as long as such recommendations are in accord with the policies of LACF.

**FOURTH:** LACF acknowledges that the persons listed in Addendum A of this Agreement shall have authority to make recommendations for disbursements from the **Fund**. Schedule A may be amended from time to time by **Donor**. It is understood that in the event that no advisor is able and willing to act, LACF's Grants Committee shall make decisions without an Advisor.

**FIFTH:** Donor may, at any time, direct LACF to transfer the assets in this Fund to another organization holding a 501(c)(3) charitable designation for investment and management.

**SIXTH:** Nothing in this Agreement shall affect the status of LACF, which is an organization described in Internal Revenue Code Section 501(c)(3) and is an organization which is not a private foundation within the meaning of Code Section 509(a). It is the express intention of LACF that the Fund be organized and operated to comply with Treasury Regulations Section 1.17A-9(e)(10-13). Nevertheless, both LACF and Donor recognize that gifts from the Fund are intended for the purpose of the Fund. This Agreement shall be interpreted in a manner consistent with the foregoing intention to conform with the requirements of the provisions of federal tax laws and any regulations issued pursuant thereto.

**SEVENTH:** LACF shall charge and administrative of fee of one percent (1.0%) of the fair market value of the Fund annually. One twelfth (1/12th) of the fees will be deducted monthly. This fee is in addition to Donor's pro-rata share of fees paid by LACF to third parties for managing investments. It is understood that all income and capital gains/losses will be allocated to the Fund quarterly, based on the average fund balance as valued at the end of each month in the quarter.

**SEVENTH:** LACF shall assume responsibility for check writing, bookkeeping, investment management, tax reporting, auditing and evaluation of projects, and furnishing to Donor, quarterly reports of all Fund income and expenses.

**EIGHTH:** This Agreement may be amended only by an agreement in writing approved by a majority of the Board of Directors of LACF and Donor. No amendment shall be allowed which is inconsistent with or jeopardizes the Foundations status as an organization described in the Internal Revenue Code sections 170(c) and 501(c)(3), as amended.

**NINTH:** LACF shall not be liable to any person interested in the Fund for any act or default unless it results from the LACF's bad faith, willful misconduct, or gross negligence, and so long as LACF uses reasonable diligence in the selection of the investment advisors.

**TENTH:** If there is no activity in this Fund directed by for a period of more than two years, then upon approval of the Board of Directors of LACF, the Fund shall became an unrestricted fund of LACF.



**Addendum**

**A**

*Los Altos Environmental*  
**The Education Fund**

The following persons are the Advisors for the subject Fund:

*Kenneth J. Lim*

name

[REDACTED]

address

[REDACTED]

phone

email

*Ann Coombs*

name

[REDACTED]

address

[REDACTED]

phone

email

[REDACTED]

*Julie Saffren*

name

[REDACTED]

address


[REDACTED]

phone

email

IN WITNESS WHEREOF, the undersigned have caused this Agreement to be executed as of the date written above:

**Donor**

By:  11/5/03  
Name Kenneth J. Lim, Chair, The Los Altos Environmental Committee  
Address: c/o David Kornfield, Associate Planner, Community Development Dept., City of Los Altos, One North San Antonio Rd., Los Altos, CA 94022  
Phone: 415-749-4710

**Los Altos Community Foundation**, a California non-profit public benefit corporation,

By:   
Roy E. Lave, Chairman

**Addendum  
A – revised January 29, 2007**

**The Los Altos Environmental Education Fund**

The following persons are the Advisors for the subject Fund:

LINDA DEMICHEL  
name

[REDACTED]  
address

[REDACTED]  
phone e-mail

Jamie Dinkelacker  
name

[REDACTED]  
address

[REDACTED]  
phone e-mail

ANN COOMBS  
name

[REDACTED]  
address

[REDACTED]  
phone e-mail

ENV Ed  
FILE COPY  
1/29/07

## ENVIRONMENTAL COMMITTEE

The Environmental Committee meets on the second Monday of each month at 7:00 p.m., in the Council Chambers at the City Hall, 1 N. San Antonio Road, Los Altos.

Elizabeth Chien-Hale Term Expires 2011

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Hank Cooper Term Expires 2009

[REDACTED]  
[REDACTED]  
[REDACTED]

### Chair

Linda DeMichiel Term Expires 2009

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Vija Singh Term Expires 2011

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Stephen Anderson Term Expires 2011

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Ann Coombs Term Expires 2009

[REDACTED]  
[REDACTED]  
[REDACTED]

David Schink Term Expires 2011

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

The City staff liaison to the Committee is Rebecca Zito who can be reached at (650) 947-2620.