

**Part 2 Government Administration; Chapter 4 Financial Administration; Article E. Procurement;**

Division 11: Municipal Naming Rights and Sponsorships

Section 2-4170: Purpose

The purpose of this ordinance is to establish procedures that allow for use of municipal sponsorships to enhance City services, offset program costs, and/or generate new revenues. The procedures will protect the City from unwarranted influence, commercialization or undesired financial dependence.

Section 2-4171: Solicited Sponsorships

The City may identify potential sponsorship opportunities in which it will solicit bids from interested parties. These solicited sponsorships will go through a competitive procurement process such as a Request for Proposal.

a) Requirements

1. All solicited sponsorship opportunities must go through a competitive procurement process in accordance with city, state, and federal procurement laws and regulations.
2. The City shall retain ownership and control over any sponsored facility, property, program, or service.
3. Sponsorships must not impair the City's ability to manage a facility, property, program, or service.
4. Sponsorships shall be negotiated or decided upon on an individual basis, such arrangement must not unduly detract from the character, integrity, aesthetic quality or safety of the property or unreasonably interfere with its use, function, and purpose.
5. All funds generated by sponsorship agreements shall be allocated to administering operations, enhancements or improvements to the related facility, property, program, or service.
6. The City does not endorse the products, services, or ideas of any awarded sponsor.
7. All sponsorships are subject to City Council approval.
8. All sponsorship agreements must be for a fixed term. Every sponsorship agreement shall have a sunset clause. Such agreements cannot be extended or automatically renewed without Council approval.
9. At its sole discretion, the City reserves the right to terminate sponsorship agreements prior to the scheduled termination date, without refund or consideration, should it feel it is necessary to do so.
10. Sponsorship agreements may only be transferred or assigned by a sponsorship holder with the consent of the City. Where a company changes its name, the naming rights may, with the consent of the City and at the expense of the naming rights holder, be modified to reflect the new name.
11. There shall be no actual or implied obligation for the City to purchase the product or services of a sponsorship holder.

Section 2-4172: Unsolicited Sponsorships

The section constructs a procedure for unsolicited sponsorship opportunities to be utilized to promote, enhancement, and/or off-set costs for City facilities, property, program, or service.

a) Procedure for Unsolicited Sponsorships by outside entities

1. Entity submits a proposal for a sponsorship opportunity to a City department or agency that oversees or administers the facility, property, program, or service.
2. Proposals shall include;
  - i. A description of the contractual relationship, specifying the exact nature of the agreement;

- ii. The term of the agreement;
    - iii. Renewal options, if permitted;
    - iv. The value of the consideration and, in the case of in-kind contributions, the method of assessment;
    - v. The payment schedule; and
    - vi. Rights and benefits;
  - 3. All proposals shall be reviewed by a committee appointed by the City Manager or a designee. The committee shall review the proposal based upon its benefit to public, enhancement of service or program, and impact of sponsorship.
  - 4. The review committee is responsible for consulting with relevant stakeholders, where necessary, and for conducting a risk/benefit assessment of the opportunity.
  - 5. Sponsorship agreements shall be submitted to City Council for approval.
- b) Restrictions
- 1. No sponsorships shall have direct political affiliation
- c) Requirements
- 1. The City shall retain ownership and control over any sponsored facility, property, program, or service.
  - 2. Sponsorships must not impair the City's ability to manage a facility, property, program, or service.
  - 3. Sponsorships shall be negotiated or decided upon on an individual basis, such that the agreement must not unduly detract from the character, integrity, aesthetic quality or safety of the property or unreasonably interfere with its use, function, and purpose.
  - 4. All funds generated by sponsorship agreements shall be allocated to administering operations, enhancements or improvements to the related facility, property, program, or service.
  - 5. The City does not endorse the products, services, or ideas of any awarded sponsor.
  - 6. Sponsorship agreements must be for a fixed term. Every sponsorship agreement shall have a sunset clause. Such agreements cannot be extended or automatically renewed without Council approval.
  - 7. At its sole discretion, the City reserves the right to terminate sponsorship agreements prior to the scheduled termination date, without refund of consideration, should it feel it is necessary to do so to avoid the City being brought into disrepute.
  - 8. Sponsorship agreements may only be transferred or assigned by a sponsorship holder with the consent of the City. Where a company changes its name, the naming rights may, with the consent of the City and at the expense of the naming rights holder, be modified to reflect the new name.
  - 9. There shall be no actual or implied obligation for the City to purchase the product or services of a sponsorship holder.
  - 10. City Council reserves the right to refuse any sponsorship proposal for any reason City Council deems such as; Human reproduction/sexuality products and services, demeaning or disparaging words, profanity, firearms, violence promotion, unlawful goods or services, unlawful conduct promotion, obscenity or nudity, "adult"-oriented goods or services, religion or religious organization, or political affiliation.

#### Section 2-4173 References

- a) Naming and renaming of public property, facilities and streets outside of sponsorship opportunities is not governed by this ordinance. Refer to Article E. Naming and Renaming of Public Property, Facilities and Streets.
- b) Endowments, donations, or gifts
  - 1. Endowments, donations, or gifts may be considered for naming opportunities on a case-by-case basis as mentioned in Section 4-1106 Donations and Gifts.