

<b>POLICY TITLE</b>	Sponsorship and Sponsorship Naming Rights Policy
<b>CATEGORY</b>	Council
<b>POLICY NUMBER</b>	COUN-011
<b>POLICY OWNER</b>	CMO (City Manager's Office)
<b>ACCESS</b>	Public

## PURPOSE

The purpose of this policy is to establish a *Sponsorship and Sponsorship Naming Rights Policy* framework that optimises non-tax revenue and value-in-kind benefits to support City facilities, infrastructure, programs, and services. Additionally, the policy ensures that all Sponsorship and Sponsorship Naming rights agreements align with the City's values, image, policies, and goals.

## SCOPE

This policy applies to City Assets, funded and produced events, programs, services and facilities. For the avoidance of doubt, this policy does not apply to the following:

- Assets managed by the Vancouver Police Department
- Vancouver Public Library
- General naming of Streets and Parks
- City Hall
- Senior government funding programs
- Neighbourhood groups, service clubs, non-profit community organizations, or agencies that provide continuous support and leadership to City programs, services, or facilities
- Donations or gifts

## DEFINITIONS

**City Assets** are events, programs, physical assets, services and other wholly owned and operated City activities or assets. Examples of other City activities or assets could include, but are not limited to, vehicles, equipment, publications, websites and digital applications, buildings, plazas and other City-owned real property.

**Event** means an activity planned for a specific purpose.

**Programs** means a set of initiatives, events or actions that collectively are planned for a specific purpose.

**Sponsorship Naming Rights** is the right granted by the City to name or rename a City Asset, or parts of a City Asset granted in exchange for financial consideration.

**Sponsorship Naming Rights Agreement** is a legal contract outlining the terms of the agreement between the City and Sponsor.

**Sponsor** means the other party to an agreement with the City for a Sponsorship or Sponsorship Naming Right.

**Sponsorship** is the relationship formed between the City and the Sponsor pursuant to a Sponsorship Agreement, whereby the Sponsor provides cash, in-kind services, or in-kind/benefits to the City in return for permitted right of association with a City Asset. These permitted uses may take the form of publicity, promotional activities, merchandising opportunities, or similar types of benefits.

Forms of Sponsorship include:

- Cash: A Sponsorship received in the form of money.
- In-kind: Goods and services, other than cash, of value to the City are received, provided always that the Chief Procurement Officer is satisfied that the provision of such goods and services is specifically related to the Sponsorship and therefore does not contravene the intent and effect of the Procurement Policy.
- A combination of the above.

**Sponsorship Agreement** is the agreement between the City and Sponsor setting out their respective rights and obligations in relation to the City Asset(s) and the Sponsorship.

**Total Value** is the total amount of cash and the total fair market value of in-kind benefits to be received by the City as a result of the proposed Sponsorship or Naming Rights agreement.

## INTERPRETATION

All references in this policy to an employee, official, officer or other representative of the City is deemed to include any designate, deputy, or anyone else properly authorized in writing or by Council resolution to act in that person's position.

## POLICY STATEMENTS

### 1. Approval Authority

- 1.1 Any Sponsorship Naming rights agreement of a City Asset will require Council Approval.
- 1.2 Council may, at its discretion, delegate the solicitation of Sponsorship or Naming rights of assets or groups of assets to the City Manager.
- 1.3 Delegation of authority to commit the City of Vancouver to a Sponsorship, up to a Total Value \$3,000,000 is delegated to the City Manager, and execution of such Sponsorships is delegated jointly to the City Manager and the City Solicitor.
- 1.4 The City Manager will be authorized to execute the agreement or may further delegate this authority at their discretion.

- 1.5 The Authority to commit the City of Vancouver into a Sponsorship agreement with a Total Value less than \$50,000 may be delegated by the City Manager to a City staff member, at their discretion.

## **2. Rules on the Application of Revenue**

- 2.1 Sponsorship and Sponsorship Naming Rights revenues will be allocated by the Director of Finance in accordance with the following commitments in order of priority:
  - a. Fulfillment of Sponsorship and Naming rights obligations under the agreement.
  - b. To fund the overall administrative costs and staffing to coordinate Corporate Sponsorship and Sponsorship Naming Rights.
  - c. Other investment priorities identified through the City's operating and capital budget planning processes.

## **3. Sponsor and Naming Rights Restrictions**

- 3.1. The following will not be considered for prospective Sponsors and Sponsorship Naming Rights entities:
  - a. Parties that could reflect negatively on the City's public image or prove detrimental to the City's integrity and/or reputation or non-compliance of City policy or strategies.
  - b. Parties that are disqualified from doing business with the City due to ongoing litigation.
  - c. Parties that promote religious, political, or potentially divisive messages specific to any group or subgroup of the residents of Vancouver.
  - d. Parties that are registered as local elector organizations or political parties.

## **4. Principles of Solicitation of Sponsorship Opportunities**

- 4.1. Sponsorship will be solicited in a manner that:
  - a. is best value for the City of Vancouver and its citizens, where best value means the rights and benefits to the Sponsor must be proportional to the Total Value being provided to the City; and
  - b. limit the contract term to maximize competitiveness and best value.
  - c. provides a reasonable level of transparency and competition.
- 4.2. Non-competitive sponsorship proposals may be considered at any time, but the City has no obligations to accept any.

## **5. Required Legal Terms and Conditions of Sponsorship and Naming Rights Agreements**

- 5.1. All Sponsorship and Sponsorship Naming Rights Agreements must be on terms that expressly confirm that the City does not endorse the products, services or ideas of any Sponsor, and that the City retains full ownership and control over the City Asset.
- 5.2. Sponsorship and Sponsorship Naming Rights Agreements must clearly outline and set out the limits of the rights in and to the City Assets being granted by the City to the Sponsor in exchange for cash and/or value in-kind.
- 5.3. All rights being granted need to be time-limited and scope-limited within the parameters set out within this Policy.
- 5.4. Sponsorship and Sponsorship Naming Rights Agreements will provide for a termination right by the City if a Sponsor or Naming Entity: (i) breaches its obligations under it; (ii) takes action to bring the City into disrepute or otherwise conflict with the City's values, policies, or community standards or (iii) has a material change in its circumstances, such as bankruptcy, insolvency, or criminal activity associated with the named party. The City will not be liable for any reputational or financial losses resulting from such termination.
- 5.5. Sponsorship and Sponsorship Naming Rights Agreements will require the Sponsor or Naming Entity to comply with all applicable laws including, without limitation, any laws that govern Sponsorship or advertising and any laws that govern privacy or freedom of information including the Freedom of Information and Protection of Privacy Act (British Columbia) and the Personal Information Protection Act (British Columbia).

## **6. Approval**

- 6.1. A Sponsor must obtain express prior approval from the City, acting in its sole discretion to approve the content of any sponsorship creative, branding, messaging, or other activation to be installed, placed, or deployed on any City asset, including any approved use or reference to the City brand or logo.

## **7. Monitoring, Reviewing and Reporting**

- 7.1. It is the responsibility of the City Manager to ensure that the application of the City's Sponsorship and Sponsorship Naming Rights Policy, and its financial and non-financial impacts on a City-wide level, is monitored, reviewed, and reported annually.
- 7.2. A current list of all Sponsors under contract with the City shall be listed for public view on the City's website.
- 7.3. This Policy is to be reviewed by the City Manager or designate every two years and be updated as required.
- 7.4. The City Manager or designate and City Solicitor are authorized to make all such administrative amendments and modifications to the Policy as are considered appropriate from time to time to reflect changes in organizational structure or staff titles, to incorporate the policies of the Vancouver Public Library, Vancouver

Police Department, Board of Parks and Recreation, and/or the City’s affiliates that may be adopted by them from time to time to better align with the City’s Policy, and any other elements of the Policy other than the elements which legally delegate authority reserved to Council from Council to City staff.

**8. Conflict of Interest and Ethics Responsibility**

8.1. In making a decision, Council, or its delegate under this Policy, will have regard, without limitation, for the following:

- i. Potential, actual, or perceived conflicts of interest with the Sponsor;
- ii. Any existing contracts with the Sponsor;
- iii. Any existing regulatory applications from the Sponsor
- iv. Impacts to the Character, integrity and safety of a City Asset
- v. Any limitation on the public’s enjoyment or use of a City Asset
- vi. Where the Sponsor may be detrimental to the City’s public image
- vii. Previous findings of violation of law

8.2. The City will monitor the Sponsorship and Naming Rights Agreements to ensure compliance throughout the contract term.

**REFERENCES AND RELATED POLICIES**

This Policy must be read and applied in conjunction with the following related policies:

- Ethical Purchasing Policy – AF-014-01
- Supplier Code of Conduct
- City’s Code of Conduct Policy - Staff – AE-028-01
- Budgets – Operating – ADMIN-004
- Budgets – Capital – ADMIN-005
- Visual Standards Guide

**APPROVAL AND REVIEW HISTORY**

<b>Version 1 approved by:</b>	City Council	11/12/2024
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**Next review date**                      **11/12/2026**