



COUNCIL REPORT

Report Date: October 30, 2024
Contact: Ben Pollard
Contact No.: 604.673.8222
RTS No.: 17612
VanRIMS No.: 08-2000-20
Meeting Date: November 12, 2024
[Submit comments to Council](#)

TO: Vancouver City Council
FROM: Deputy City Manager
SUBJECT: Sponsorship and Sponsorship Naming Rights Policy

Recommendations

- A. THAT Council rescind the 2006 *Naming Rights Policy, Civic Community Facilities*, (the “2006 Naming Rights Policy”), attached as Appendix A to this report, and the 2019 *Sponsorship Policy*, (the “2019 Sponsorship Policy”), attached as Appendix B to this report. Also, that Council approve the *Sponsorship and Sponsorship Naming Rights Policy* (the “2024 Sponsorship Policy”), attached as Appendix C to this report.
- B. THAT Council direct staff to implement the 2024 Sponsorship Policy, that is contained in Appendix C of this report.
- C. THAT, subject to Recommendations A and B, Council delegate standing authority: (1) to the City Manager to, in accordance with the 2024 Sponsorship and Sponsorship Naming Rights Policy, to negotiate agreements in which the City agrees to grant Sponsorship or Sponsorship Naming Rights to commercial parties with a value of up to \$3 million; and (2) for execution of such agreements, jointly to the City Manager and the City Solicitor.
- D. THAT Council delegate standing authority to the City Manager to, in accordance with the 2024 Sponsorship Policy, designate a staff member to negotiate, and execute agreements in which the City agrees to grant Sponsorship rights for amounts less than \$50,000.

Approval of Recommendations C and D requires an affirmative vote of at least two-thirds of all Council members pursuant to Section 161 of the *Vancouver Charter*.

Purpose and Executive Summary

This report recommends that Council rescind the 2006 Naming Rights Policy and the 2019 Sponsorship Policy, and approve the 2024 Sponsorship and Sponsorship Naming Rights Policy. These changes will enhance the City's capacity to generate non-tax revenues to address the growing infrastructure deficit and to fund Council priorities, while incorporating appropriate governance, ethical standards, and transparency principles into these processes.

The 2024 *Sponsorship and Sponsorship Naming Rights Policy* aligns with the priorities articulated in *Vibrant Vancouver: City Council's Strategic Priorities, 2023-2026*, and with the recommendations of the 2024 Mayor's Budget Task Force.

This report outlines the rationale for the new policy, and highlights the key differences between it and the two policies that are recommended to be rescinded.

Council Authority/Previous Decisions

- In 1995, the Vancouver Board of Parks and Recreation adopted Sponsorship Guidelines governing corporate participation in programs, events and activities. There were also guidelines put in place for the naming of parks.
- In 1996, Council deferred entering into a major City sponsorship program, pending a review of sponsorship experience through Park Board and Library Board sponsorship initiatives.
- In 1997, Council approved the guiding principles and implementation of a City sponsorship program for revenue generation opportunities and the acquisition of goods and services. A City sponsorship program was not pursued. The guiding principles were not put into practice, and are not active today.
- In 1998, Council approved corporate sponsorship for limited components of the street banner program. Further sponsorship opportunities were not pursued.
- In 2003, the Library Board adopted a sponsorship policy including the naming of rooms within library buildings and in 2004 and approved related donor recognition guidelines.
- In 2005, Council approved the development of commercial and commemorative naming rights policies for City-owned buildings, including those operated by the City and those leased to non-profit tenants.
- In 2006, Council approved the 2006 Naming Rights Policy.
- In 2019, Council approved the 2019 Sponsorship Policy to encourage sponsorship to provide the City with additional revenue to enhance City assets and operations.

City Manager's Comments

The City Manager concurs with the foregoing recommendations.

Context and Background

Further to Council's direction to prioritise revenue generation from sources other than property taxes, staff is advancing this through corporate sponsorship, sponsorship naming rights, donations and advertising.

In their January 2024 report to Council, the Mayor's Budget Task Force recommended that the City ... "*centralize coordination with philanthropic, business and non-profit communities through the creation of an Office of Strategic Partnerships,*" and that the activities of this office include generating revenues by selling sponsorship naming rights and running sponsorship campaigns for various City assets.

For the purpose of this Report, staff will use the following defined terms:

- **Sponsorship.** A corporate sponsorship is a form of marketing in which a payment is made by a commercial entity to the City for the right to be associated with a City project or program.
- **Sponsorship Naming Rights.** Naming rights refer to a specific type of relationship in which a commercial entity pays a fee to the City to have their name associated with a specific City venue, building, event, or public space.
- **Philanthropic donations.** Philanthropic donations are comprised of gifts of money, time, or talent made by individuals or charitable organisations to the City in order to generally support City services, programs and assets, or to support a specific service, program or asset. Council may decide to name or rename a City service, program or asset in recognition of such philanthropic gifts. Philanthropic donations and any associated naming rights fall outside the scope of the proposed 2024 Sponsorship and Sponsorship Naming Rights Policy.
- **Commemorative naming.** Commemorative naming is the practice of giving a City service, program or asset an official name in order to honor or commemorate a person, place, event, or idea. Typically commemorative naming does not involve an exchange of funds. A separate policy for commemorative naming is under development and will be brought forward to Council for consideration at a later date.

Discussion

The City's 2006 Naming Rights Policy allows for limited corporate naming of City buildings, that are operated by either the City or a non-profit group. This policy limits the types of potential eligible assets and sponsors, and requires lengthy and complex approval process. It is more restrictive than that of many other municipalities, and thus allows for limited revenue potential.

The 2019 Sponsorship Policy falls under the City's Procurement Policy. The City has not advanced any new, substantial corporate sponsorship opportunities since Council approved the 2019 Sponsorship Policy. The recommendations of this current report reflect current thinking that sponsorship and naming rights agreements do fit easily within the City's procurement framework, and therefore propose a separate, standalone policy and process.

This report proposes a new *Sponsorship and Sponsorship Naming Rights Policy* that will enable greater revenue potential from sponsorship and sponsorship naming rights, while at the same time addressing appropriate governance, ethical standards, and transparency. The key features of the proposed new policy are summarized below.

1. Expanded scope

The proposed new policy applies to a broader range of City-owned assets and programs – including real property, services, publications, vehicles, and digital platforms – to maximize revenue generation opportunities.

2. Ethical standards

The proposed new policy aligns closely with the strict ethical standards outlined in the 2019 Sponsorship Policy – by prohibiting partnerships with organizations involved in ongoing litigation, organizations promoting religious messaging, political parties, or those promoting divisive messages. These standards help ensure that partnerships established through sponsorship and naming rights align with the City's values and reputation.

3. Revenue allocation

The proposed new policy formalizes the use of revenue, prioritizing allocation of funds to i) fulfill the terms of the sponsorship and sponsorship naming rights agreements; ii) cover the administrative costs for sponsorship management, and iii) advance other Council priorities through standard financial planning and budget processes. This ensures that sponsorship and sponsorship naming right revenue is deployed in a consistent, effective and transparent way.

4. Approval of sponsorship content

The proposed new policy articulates the City's oversight role, and requires that all sponsorship creative materials, branding, and messaging be approved by the City Manager (or delegates) – ensuring that sponsors' public-facing materials are consistent with the City's values and policies. It is noted that such oversight is not explicitly required within the current policy framework.

5. Provisions for termination

The proposed new policy states that all sponsorship and sponsorship naming rights agreements must include provisions for termination, e.g., if a sponsor breaches the agreement, or if the sponsor takes any action that negatively impacts the City's reputation. Sponsorship and naming agreements must comply with all applicable laws, including privacy and advertising regulations. These terms are consistent with requirements in the current policy framework.

6. Delegations of authority

Under the proposed policy, all agreements that involve sponsorship naming rights are subject to approval by Council. However, in order to enhance administrative efficiencies, the proposed new policy lays out an updated tiered delegation of authority for approving sponsorship agreements. The City Manager is authorized to approve sponsorship agreements up to \$3 million, and a City Manager designate to approve agreements up to \$50,000.

7. Ongoing monitoring and reporting

The proposed new policy requires annual reporting on all active sponsorship and sponsorship naming rights agreements on the City's website.

Financial Implications

The proposed *Sponsorship and Sponsorship Naming Rights Policy* is intended to maximize the opportunity to generate non-tax revenue to address the City's growing infrastructure deficit and other Council priorities, thereby reducing pressure on property taxes and user fees. This work aligns with existing Council direction and with the recommendations of the 2024 Mayor's Budget Task Force.

Legal Implications

The 2019 Sponsorship Policy previously fell under the City's Procurement Policy and the oversight of the Chief Procurement Officer. The Procurement Policy provided a framework for an open, competitive, and transparent process, where each sponsorship solicitation would be publicly posted for any potential sponsor to respond.

By electing to remove the application of the Procurement Policy to the 2024 Sponsorship Policy, the sponsorship solicitation process will likely be quicker, and have less administrative burden, but may expose the City to reputational or legal risk arising from non-competitive sponsorship solicitations. It is difficult to quantify the risk because there have been no significant City sponsorships solicited or concluded under the 2019 Sponsorship Policy for comparison.

The 2024 *Sponsorship and Sponsorship Naming Rights Policy* states that a reasonable level of transparency and competition is required, but does not require the competitive, open, and transparent process set out under the Procurement Policy, which applies to the City's procurement of most goods and services.

Separately, there is the risk of perceived or actual bias, reputational risk, or legal risk if an existing City sponsor bids on or wins a City call for goods or services.

* * * * *

APPENDIX A

CITY OF VANCOUVER 2006 NAMING RIGHTS POLICY, CIVIC COMMUNITY FACILITIES

This appendix contains the 2006 Naming Right Policy, Civic Community Facilities, that is recommended to be rescinded in this Report

1. Preamble

Naming Rights refers to the granting by the owner the right to name a piece of property or portions of a property usually granted in exchange for financial consideration.

Commemorative Naming refers to the naming of a property in honour of outstanding achievement, distinctive service, or significant community contribution.

This policy is intended to cover Naming Rights for Civic Community Facilities. A companion policy, Commemorative Naming Policy, Civic Community Facilities covers requests to name Civic Community Facilities as an honour and generally without financial consideration.

Section 1.01

2. Purpose

2.1. The purpose of this Policy is to provide clear guidance regarding Naming Rights for Civic Community Facilities. The goal is to provide a consistent evaluation framework and approval process when considering Naming Proposals for Civic Community Facilities.

2.2. This Policy is intended to balance public and private interests by encouraging philanthropic giving while acknowledging public investment in, and ownership of Civic Community Facilities as well as the public realm; and to encourage continued investment in these facilities for the benefit of the citizens of Vancouver for generations to come.

3. Scope

For other policies related to Naming, see Section 4.

3.1. This Policy applies to all Civic Community Facilities (see Definitions in Section 5), including Interior and Exterior Building Components, including those facilities operated directly by the City, and those operated by Non-profit Tenants.

3.2. This Policy does not apply to:

- a) City-owned facilities leased to commercial tenants;
- b) City core services facilities (eg. City Hall, firehalls, police stations);
- c) Non-City facilities (eg. BC Place, Scotiabank Dance Centre);
- d) Non-City facilities which occupy City lands, and where the building is wholly and currently owned by the non-profit tenant (eg. YWCA Crabtree Corner, Chinese Cultural Centre);
- e) Naming of Vancouver Public Library facilities (See Section 4);

- f) Naming of streets (See Section 4);
- g) Naming of parks (See Section 4); and
- i) Naming of programs, events, or other kinds of sponsorships.

4. Other Related Naming Policies

Related Civic Naming policies include:

- a) City of Vancouver: Commemorative Naming Policy;
- b) Vancouver Public Library: Sponsorship Policy and Donor Recognition Guidelines;
- c) City of Vancouver: Street Naming Guidelines; and
- d) Vancouver Park Board: Guidelines for Naming Parks.

5. Definitions

5.1. **Applicant:** either a civic department, in the case of City-operated facilities, or a Non-profit Tenant, which makes a formal Proposal to the City to name all or portions of a Civic Community Facility.

5.2. **Approval Agreement:** an agreement between the City and a Non-profit Tenant outlining the terms and conditions of approval in granting Naming Rights.

5.3. **Civic Community Facility:** any property, complex, structure, building or portion thereof owned or controlled (e.g. through longterm lease) by the City of Vancouver but excluding properties identified in Section 3.2.

5.4. **Commemorative Naming:** Naming Rights granted to honour outstanding achievement, distinctive service, or significant community contribution. Commemorative Naming will not be tied to a financial contribution.

5.5. **Community Sport Facilities:** any Civic Community Facility used primarily for sporting activities, programs or services, but excluding those in the care and custody of the Park Board.

5.6. **Corporate Naming:** Naming Rights granted to a corporation or a corporate foundation, negotiated for a specific fee.

5.7. **Cultural Facility:** any Civic Community Facility used primarily for the purpose of arts and cultural activities, programs or services but excluding those in the care and custody of the Park Board and/or operated by the Vancouver Public Library.

5.8. **Designated City Staff:** for the purpose of administering this Policy, the City Manager will designate a staff person in the relevant City department.

5.9. **Exterior Facility Components:** all ancillary structures, and all exterior components of a Civic Community Facility which are visually accessible from the public realm, including, but not limited to, plazas, courtyards, squares, gardens, lawns, playing fields, playgrounds.

5.10. **Individual and Community Organization Naming:** Naming Rights granted to an individual, group of individuals, family foundation, or a non-profit community organization in recognition of significant philanthropy.

5.11. **Interior Facility Components:** all substantial interior components of a Civic Community Facility, including, but not limited to, wings, halls, auditoriums, galleries, lounges, lobbies, and program rooms, etc.

5.12. **Logo:** a combination of characters and/or graphics used to identify a company or organization, including a symbol, wordmark, or trademark.

5.13. **Market Valuation:** a current assessment of the potential value within the marketplace of the Naming Rights for a specific property.

5.14. **Naming Rights Agreement:** a legal contract outlining the terms of the agreement between the Applicant and Naming Entity.

5.15. **Naming Entity:** The entity (eg. corporation, community organization or individual) to whom Naming Rights are granted pursuant to a Naming Rights Agreement.

5.16. **Naming Rights:** the right to name or rename a piece of property, or parts of a property granted in exchange for financial considerations.

5.17. **Non-profit Tenant:** a Non-profit organization occupying a Civic Community Facility through an Occupation Agreement.

5.18. **Occupation Agreement:** the lease, sublease, licence, sublicence, management and/or operating agreement which grants a Non-profit Tenant the right to use and occupy a Civic Community Facility or a portion thereof.

5.19. **Park Board Facility:** Any Civic Community Facility under the care and custody of the Park Board, including but not limited to community centres, pools, rinks, gardens, conservatories, and tenanted properties.

5.20. **Proposal:** the proposal by an Applicant to the City with respect to Naming Rights.

5.21. **Public Realm:** Publicly owned streets, sidewalks, rights-of-ways, parks and other publicly accessible or visually accessible open spaces.

5.22. **Renaming:** a change of name of a piece of property which already has a name whether geographic, commemorative or historic.

5.23. **Social Services and Childcare Facility:** any Civic Community Facility used primarily for the purpose of social, community, and childcare programs or services but excluding those in the care and custody of the Park Board.

6. General Principles

6.1. The granting of Naming Rights is intended to support and promote investment in Civic Community Facilities that provide important services to citizens.

6.2. Naming Rights may be granted under the terms and conditions outlined in this Policy as recognition for financial contributions from Naming Entities, where these contributions result in significant and direct benefits to the community.

6.3. A Naming Rights Agreement may not compromise the City's or a Non-profit Tenant's ability to carry out its functions fully and impartially.

6.4. Neither the City nor its Non-profit Tenant may relinquish any aspect of its right to manage and control a Civic Community Facility through a Naming Rights Agreement.

6.5. The granting of Naming Rights will not entitle a Naming Entity to preferential treatment by the City outside of the Naming Rights Agreement.

6.6. The approval of Naming Rights is not intended to replace other grant or support programs to Non-profit Tenants.

6.7. A Naming Rights Agreement must not conflict with the terms and conditions of any existing Occupation Agreement between the City and a Non-profit Tenant, and/or between the City and a head-landlord.

6.8. Established names of facilities contribute significantly to historic continuity, community identity and pride.

6.9. Naming Rights recognition will be compatible with the physical attributes of a location.

6.10. Naming Rights opportunities are intended to benefit the Applicant in the provision of significant and direct benefits to the community.

6.11. The approval of Naming Rights will not result in additional costs for the City, excluding the City's approval process.

6.12. The authority to grant Naming Rights rests with Council or its designate.

6.13. The City will not pursue Naming Rights with respect to a Civic Community Facility fully occupied by a Non-profit Tenant.

6.14. In multi-tenanted buildings, Proposals for Naming Civic Community Facilities, Exterior Facility Components or common areas will only be considered if all the Tenants support the Proposal and their support is documented to the City's satisfaction.

7. Guidelines

7.1. The granting of Naming Rights will be considered for the following categories of Civic Community Facilities, noting approval will be subject to the application process outlined in section 7:

a) Community Sport Facilities		Corporate	Individual
i.	New	Yes	Yes
ii.	Renaming	No	Yes
iii.	Interior Facility Components	Yes	Yes
iv.	Exterior Facility Components	Yes	Yes
b) Cultural Facilities		Corporate	Individual
i.	New	Yes	Yes
ii.	Renaming	No	Yes
iii.	Interior Facility Components	Yes	Yes
iv.	Exterior Facility Components	Yes	Yes
c) Park Board Facilities		Corporate	Individual
i.	New	No	Yes
ii.	Renaming	No	Yes
iii.	Interior Facility Components	Yes	Yes
iv.	Exterior Facility Components	No	Yes
d) Social Services, Childcare		Corporate	Individual
i.	New	No	Yes
ii.	Renaming	No	Yes
iii.	Interior Facility Components	Yes	Yes
iv.	Exterior Facility Components	No	Yes

7.2. Any Applicant seeking approval of the granting of Naming Rights must first establish an internal Policy related to the sale of Naming Rights which has been approved by

its Board of Directors, or in the case of civic departments and Boards, by the City Manager or General Managers of Boards.

7.3. Any Non-profit Tenant seeking approval for Naming Rights must have a current signed Occupation Agreement in place with the City, and must be in full compliance with that Agreement, to the satisfaction of the City.

7.4. City Council or its designate shall have the authority to either grant or refuse any Proposal to name Civic Community Facilities or any portion thereof.

7.5. The City will only consider Proposals directly from an Applicant.

7.6. The City shall evaluate Corporate Naming Proposals according to the following criteria:

- a. An assessment of the Proposal against the Applicant's mission, vision and values.
- b. A Naming Entity's products, services and business practices shall not contradict, to the extent reasonably ascertainable, the mandate, policies or objectives of the City, including the City's Ethical Purchasing Policy.
- c. The Naming Entity's products, services and business practices shall conform to all applicable federal, provincial or municipal statutes, to the extent reasonably ascertainable.

7.7. The City shall evaluate Individual and Community Organization Naming Proposals according to the following criteria:

- a. An assessment of the Proposal against the Applicant's mission, vision and values
- b. The Naming Entity should have a direct relationship with the Applicant
- c. If the Naming Entity is a non-profit community society, the Naming Entity must be a registered charitable society in good standing under the BC Societies Act.
- d. If the Naming Entity is a non-profit community society, an assessment of the compatibility of the Naming Entity's and Applicant's mission, vision and values.

7.8. Logos will not be permitted on any signage relating to Naming Rights save and except for the Applicant's logo.

7.9. Signage and acknowledgement associated with Naming Rights must comply with all applicable laws and by-laws, and must be approved in advance by the City.

7.10. Naming of a Civic Community Facility should include the purpose of the facility (eg. The ABC Performing Arts Centre as opposed to The ABC Centre).

7.11. Renaming of Civic Community Facilities must reflect the historic name.

7.12. All Naming Rights Agreements will be for a fixed term, not to extend beyond the term of the Occupation Agreement.

7.13. If a Naming Rights Proposal is approved by Council or its designate, an Approval Agreement will be executed between the City and the Non-profit Tenant authorizing the Non-Profit Tenant to grant Naming Rights to the Naming Entity under terms and conditions to the satisfaction of the City's Legal Department.

7.14. The City will endeavour, to the extent reasonably practicable, to balance its responsibility to maintain transparent processes and provide full disclosure to the public, with its responsibility to maintain confidentiality regarding third party interests.

8. Application Process

8.1. For all Naming requests (Civic Community Facilities, Interior and Exterior Facility Components), the Applicant will provide the Designated City/Board Staff with advance written notice of its intention to pursue Naming Rights, along with a copy of the Applicant's Naming

Rights Policy which has been approved by the Applicant's Board of Directors, or in the case of a City operated facility, by the City Manager.

8.2. Designated City/Board Staff will review the Applicant's Naming Rights Policy to determine if it meets the intent of this Policy.

8.3. Applicants will make a Proposal and will provide to the Designated City Staff all relevant materials including:

- a) Capital campaign plan including case for support, and comprehensive list of naming opportunities;
- b) Current market valuation of the proposed Naming opportunity completed by an independent fundraising professional;
- c) Proposed Naming Rights fee;
- d) Proposed term of Naming Agreement;
- e) Proposed rights and benefits;
- f) Demonstrated support from key stakeholders (eg. members, users, donors, funders);
- g) Intended use of funds (eg. capital, endowment, capital reserve plans);
- h) Draft signage and acknowledgement plan;
- i) In the case of a multi-Tenanted Civic Community Facility, letters of support and approval from all other Tenants or occupants of the Civic Community Facility; and
- j) Draft Naming Rights Agreement.

8.4. Designated City staff will review the Proposal and prepare a report.

8.5. For Corporate Naming Proposals for an entire Civic Community Facility, the City will commission and pay for an independent public opinion survey. Survey wording will be developed in non-binding consultation with the Applicant. A minimum approval rate of 50% of those surveyed will be required for the Proposal to be submitted to Council for consideration.

8.6. If the Naming request is associated with a heritage building, the Designated City Staff will seek the advice of the City's Heritage Commission.

8.7. Naming Proposals for Civic Community Facilities which comply with this Policy will be reported to City Council or its designate for consideration and decision.

8.8. Naming Proposals for Interior and/or Exterior Facility Components of a Civic Community Facility which comply with this Policy will be reported to the City Manager for consideration and decision.

9. Roles & Responsibilities

9.1. The City Manager will:

- i. Designate a City staff person in the appropriate City departments who will:

- a) Act as the primary liaison for Naming Rights requests;
 - b) Provide information to the Applicant on the interpretation of this Policy;
 - c) Evaluate the extent to which this Policy's guidelines have been met in the Proposal;
 - d) Facilitate timely communication;
 - e) Protect the confidentiality of Naming Rights Agreements to the extent practicably possible;
 - f) Facilitate and pay for an independent public opinion survey where required;
 - g) Review all Naming Rights Agreements to ensure that the City's interests are adequately protected;
 - h) Seek advice from the City's Advisory Committees, if appropriate;
 - i) Seek advice from the City's Legal Services Department regarding the proposed Naming Rights Agreement; and
 - j) Report to the City Manager, City Council or its designate as appropriate.
- ii. Maintain a registry of all Occupation Agreements, Naming Rights Agreements, Commemorative Naming Agreements and Approval Agreements.
- iii. Consider and respond to all requests for Naming of Interior Facility Components and Exterior Facility Components based on this Policy.

9.2. City Council will consider Naming Proposals for Civic Community Facilities based on this Policy.

9.3. An Applicant will:

- a) Develop a Naming Rights Policy to be approved by its Board of Directors, or in the case of City-operated Civic Community Facilities, by the City Manager;
- b) Undertake due diligence to ensure all Proposals meet the spirit, intent, guidelines and procedures outlined in this Policy;
- c) Provide the Designated City Staff with the necessary documentation and information as outlined in this Policy;
- d) Execute a Naming Rights Agreement as outlined in this Policy;
- e) Execute an Approval Agreement as outlined in this Policy;
- f) Maintain regular communication with Designated City Staff throughout the process; and
- g) Assume any costs associated with the Naming of a Civic Community Facility or any portion thereof, with the exception of a public opinion survey where required.

10. Naming Rights Agreement

10.1. Naming Rights Agreements will be in the form of a legal contract between the Applicant and Naming Entity and should contain:

- a) A description of the contractual relationship, specifying the exact nature of the agreement;
- b) The term of agreement;
- c) Renewal options, if any;
- d) Value assessment, including cash, in-kind goods and services (and method of evaluating in-kind contributions);
- e) Payment schedule;
- f) Any commissions to be paid, accompanied by a payment schedule;
- g) Rights and benefits;
- h) Agreement to remove or cover signage for a limited period and only during an event where the City has a legal obligation to ensure sites are free of corporate signage, (eg. any Olympic-related event);
- i) Release, indemnification and early termination clauses;
- j) Insurance clauses; and
- k) Confidentiality terms.

10.2. All Naming Rights Agreements shall be reviewed to the satisfaction of the City's Director of Legal Services.

11. Approval Agreement

11.1. Approval Agreements shall be in the form of a legal contract between the City and a Non-profit Tenant and contain any terms and conditions of Council's or its designate's approval in granting Naming Rights, and shall be to the satisfaction of the City's Director of Legal Services.

APPENDIX B CITY OF VANCOUVER 2019 SPONSORSHIP POLICY

This appendix contains the City's 2019 Sponsorship Policy, that is recommended to be rescinded in this Report.

Corporate Policy

1. LEGAL

The *Vancouver Charter* (and Police Act, Library Act, and other applicable legislation) does not permit any employee or officer of the Vancouver Group to enter into Contracts for the Vancouver Group unless Council or the applicable Board has delegated such authority to such employee or officer in writing. The intent of this Policy is that it be approved by City Council, and referred to other members of the Vancouver Group for consideration so as to set out the extent of certain Vancouver Group employees' and officers' restricted legal authority to undertake the actions expressly authorized under this Policy.

2. SCOPE

Subject to the approvals and adoptions referred to in Section 1 above, this Policy applies to the Vancouver Group. The Vancouver Police Board, Vancouver Park Board, Vancouver Public Library Board, and City Affiliates, will be provided with this Policy, and encouraged to adopt this Policy, or a policy comparable in spirit and intent.

This Policy applies only to City Assets. This Policy does not apply to City-owned real property or City supported assets owned by a third party, where the City provides funds to an outside organization through grants, funds or provision of City services.

This Policy applies to all Sponsorships where the Sponsor (such as businesses, not-for-profit organizations and individuals) agree to contribute, either financially or in-kind, to City Sponsorship opportunities in return for recognition, public acknowledgement, activations, or other promotional considerations specific to the sponsored City Asset.

This Policy does not apply to the City's relationships with other government agencies.

3. PURPOSE

The City of Vancouver encourages Sponsorship as a means to profile corporate and community partners while providing the City with additional revenue and in-kind benefits to enhance City Assets and operations.

The purpose of this Policy is to create a Sponsorship framework that ensures the City's brand, values, image, policies, community commitments, City Assets and interests are safeguarded while increasing opportunities for corporate and community sponsorship.

This Policy provides a systematic approach to soliciting, managing and reporting sponsorship.

4. ADMINISTRATION OF POLICY

The City Manager's Office, overseen by the City Manager, is the owner and administrator of this Policy. Except where separately authorized by Council, all Sponsorship activities are to be administered by the Sponsorship Review Group and the staff designated by them pursuant to this Policy.

5. DEFINITIONS

In this Policy, the following terms have the following meanings. All other capitalized terms not otherwise defined have the meanings given to them in the Procurement Policy.

Background/Ethical Scans are a general search of a potential Sponsor's operations, background and reputation that is performed to determine if the Sponsor meets the requirements set out in this Policy, the principles of the Ethical Purchasing Policy and Supplier Code of Conduct.

Best Value has the meaning given in Section 6(9.3)(c)(v) of this Policy.

Chief Procurement Officer means the person designated from time to time by the City Manager to oversee and lead Supply Chain on behalf of the Vancouver Group.

City Manager means the person appointed by Council pursuant to section 162A of the *Vancouver Charter* as the City Manager.

City Solicitor means the person appointed by Council as the City Solicitor.

City Affiliates means the following affiliates of the City of Vancouver: Vancouver Economic Commission, Vancouver Affordable Housing Agency Ltd., Vancouver Public Housing Corporation, Vancouver Civic Development Corporation, Harbour Park Development Corporation, The Hastings Institute Inc., and the Pacific National Exhibition.

City Assets are events, programs, services or other wholly-owned and operated City activity or asset which the City Manager approves as being appropriate to receive Sponsorships. Examples of other City activities or assets could include, but are not limited to vehicles, equipment, publications, websites and digital applications. For the purposes of this Policy, City Assets do not include City-owned real property (which are intended to be covered in the City's Naming Rights Policy).

Competitively Procured Sponsorship is a Sponsorship resulting from an open, transparent, and competitively procured call by the City for proposals or bids to an open field of potential candidates for Sponsorship conducted by the Chief Procurement Officer in accordance with the Procurement Policy.

Department Head means any of the following officials: (a) any General Manager, and (b) in the case of a City Affiliate, the CEO or such other director or officer of the affiliate who has been delegated signing authority for the applicable Sponsorship Agreement by the City Affiliate's board.

Director of Finance means the person appointed by Council pursuant to Section 210 of the *Vancouver Charter* as the Director of Finance.

Direct Solicited Sponsorship Proposals are the result of ongoing discussions between a City representative authorized by the Sponsorship Review Group and a potential Sponsor where the potential Sponsor offers something unique and innovative to the City, where the sponsorship opportunity has a significant potential in terms of Sponsorship value achievable through the nurturing of the relationship, and where the potential Sponsor is closely aligned with the City's corporate and policy goals.

General Manager means the members of the City Leadership Team, including the City Manager, Deputy City Manager, City Engineer, Director of Finance, Chief Constable, Fire Chief, Chief Librarian, Park Board General Manager, City Solicitor, Chief Human Resources Officer, General Manager of Arts, Culture & Community Services, General Manager of Real Estate and Facilities Management, General Manager of Planning, Urban Design, and Sustainability, General Manager of Development, Buildings, and Licensing, and Director of Corporate Communications.

Maximum Contract Term means the maximum years (including all options to extend or rights of renewal) in respect of a Sponsorship Agreement.

Non-Competitive Sponsorship Arrangements involve either Un-Solicited Sponsorship Proposals or Direct Solicited Sponsorship Proposals.

Permitted Sponsorship Sole Source means a Non-Competitive Sponsorship Arrangement completed in accordance with this Policy.

Sponsor means the other party to a contract with the City for a Sponsorship.

Sponsorship is the relationship formed between the City and the Sponsor pursuant to a Sponsorship Agreement, whereby the Sponsor provides cash and/or in-kind services/benefits to the City in return for permitted use of association with the City Assets. 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 of value to the City are received other than cash, 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 contract between the City and Sponsor setting out their respective rights and obligations in relation to the City Asset(s) and the Sponsorship.

Sponsorship Manager is a City staff member authorized in writing by the Sponsorship Review Group to manage and oversee one or more Sponsorships in accordance with this Policy.

Sponsorship Review Group is comprised of the Department Head of the department or entity responsible for managing the City Asset related to the Sponsorship, the Director of Finance, the Chief Procurement Officer and the City Manager.

Sponsorship Generated Surplus means Sponsorship cash receipts in excess of the approved budget for the sponsored City Asset as determined by the Director of Finance. In-kind receipts will not be treated as Sponsorship Generated Surplus.

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. For the purposes of applying the Procurement Policy, Total Value will be deemed to replace “Total Price” as it is used in the Procurement Policy.

Un-Solicited Sponsorship Proposal means an un-solicited proposal received by the City independently of a public call for Sponsors. Un-Solicited Sponsorship Proposals are typically submitted by third parties wishing to obtain marketing rights related to City Assets.

Vancouver Group means the City of Vancouver, Vancouver Police Board, Vancouver Park Board, Vancouver Public Library Board, and City Affiliates.

6. POLICY STATEMENTS

(1) General Delegation of Authority for Solicitation, Negotiation and Administration

1.1. Only those City staff (each, a “Sponsorship Manager”) expressly authorized from time to time by the Sponsorship Review Group are authorized to solicit, accept and negotiate Sponsorships, and only then in compliance with this Policy. Anything not expressly permitted under this Policy must be reported to and approved by Council before it can proceed.

1.2. Departments seeking to pursue Sponsorships with respect to City Assets not under their administration and management need the prior written approval of the Department Head who does administer and manage those City Assets.

(2) Required Legal Terms and Conditions of Sponsorship Agreements

2.1. Sponsorship Agreements must be recorded on standardized templates with standard terms and conditions approved by the Chief Procurement Officer

and City Solicitor. Any deviation from the standardized terms and conditions or any material deviation from the approved use of such documents requires prior review and approval of the City Solicitor.

2.2. All Sponsorship 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.

2.3. The Sponsorship Agreement 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. All rights being granted need to be time-limited and scope-limited within the parameters set out within this Policy.

2.4. Sponsorship Agreements will require the Sponsor to comply with the City’s Ethical Purchasing Policy, Supplier Code of Conduct, and, where applicable, the Procurement Policy.

2.5. Sponsorship Agreements will provide for a termination right by the City if a Sponsor breaches its obligations under it.

2.6. Sponsorship Agreements will require the Sponsor 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).

(3) Required Business Terms and Conditions of Sponsorship Agreements

3.1. Rights and benefits to the Sponsor must be proportionate to the monetary value of the cash/in-kind benefits being provided to the City. This will be deemed to be the case where the Sponsorship is a Competitively Procured Sponsorship, at least two proposals have been received, and the proposed terms are approved in writing by the Department Head of the department or entity having management and administration of the applicable City Assets.

Where a Non-Competitive Sponsorship Arrangement is being evaluated, adequacy of the arrangement must first be approved by the Sponsorship Review Group (or if there is urgency, the City Manager and Chief Procurement Officer).

3.2. No exclusivity rights are permitted to be granted in any Sponsorship Agreement unless their duration is no more than the Maximum Contract Term and the full nature, scope and duration of the proposed exclusivity rights are first reported to in detail to the Sponsorship Review Group and all affected Departments are consulted and concur on and support the report to the Sponsorship Review Group, and the Sponsorship Review Group approves in writing the proposed exclusivity rights.

3.3. All Sponsorships must be aligned with the City's corporate and policy goals.

(4) Rules on the Application of Revenue

4.1. Sponsorship revenue (other than Sponsorship Generated Surplus) must be applied to the applicable City Asset.

4.2. Sponsorship Generated Surplus will be applied in one or more of the following ways as determined by the Sponsorship Review Group:

- a. improving and enhancing the sponsored City Asset and, where applicable, audience experience of that City Asset;
- b. servicing the overhead and administrative costs of the City's Sponsorship program; and/or
- c. contributing to other City priorities.

(5) Sponsorship Manager's Responsibilities on Ethics and Integrity for Sponsorships

5.1. Except where a decision or authority is expressly reserved to the Sponsorship Review Group or Council, Sponsorship Managers are responsible for ensuring that the Sponsorships solicited, negotiated and concluded by them comply with this Policy.

5.2. The Sponsorship Manager must conduct the Background/Ethical Scans on all prospective Sponsors proposing to provide a Total Value of more than \$10,000 and retain a record of the findings.

5.3. The Sponsorship Manager is responsible for ensuring that there is no conflict or appearance of a conflict of interest created by proposed Sponsorship, including without limitation and by way of example only, any conflict or appearance of a conflict with respect to any particular City employee or official, any existing contracts between the Sponsor and the City, any existing regulatory applications, enforcement proceedings, or other interactions between the City and the Sponsor. If the Sponsorship Manager has any concerns in this regard, they must request advice from the City Solicitor.

5.4. The Sponsorship Manager must avoid any communications with prospective Sponsors that would create the impression that the City intends to provide ongoing benefits (financial or otherwise) for the Sponsor beyond the terms of the Sponsorship Agreement, or which could be construed as interfering with existing contractual obligations.

5.5. The Sponsorship Manager is responsible for ensuring that each proposed Sponsorship does not unduly detract from the character, integrity, aesthetic quality or safety of the City Asset and does not unreasonably interfere with its enjoyment or use.

5.6. Sponsorship Managers will not approve Sponsors that could prove detrimental to the City's public image. If the Sponsorship Manager has any concerns, they should obtain the prior written approval of the Sponsorship Review Group before proceeding.

5.7. Pursuant to the Freedom of Information and Protection of Privacy Act, Sponsorship Managers are responsible for ensuring that the privacy of the City's confidential information as well as the personal information of the City's residents and businesses is protected from disclosure to prospective and actual Sponsors.

5.8. While the Sponsorship Agreement will expressly prohibit this type of activity, Sponsorship Managers are responsible for monitoring and enforcing the Sponsorship Agreement so as to ensure that Sponsors do not breach the Sponsorship Agreement by implying that their products, services or ideas are endorsed by the City or by taking advantage of the benefits conferred under the Sponsorship Agreement to a greater degree than expressly granted by the Sponsorship Agreement.

(6) Sponsor Eligibility and Restrictions

6.1. The following types of Sponsors are not eligible for Sponsorships:

- a. parties that are disqualified from doing business with the City due to ongoing litigation or prior litigation,
- b. parties (or any of their known affiliates) known to have previously violated any
 - i. bylaw or policy of the City in any way,
 - ii. any criminal law
 - iii. the BC Human Rights Code, or
 - iv. any other laws of Canada, unless such violation is considered by the Sponsorship Review Group to be of a minor nature and not prejudicial to the City's and the public interest (for example a minor parking violation of the City's Street and Traffic By-law)

c. parties that are registered as local elector organizations, political parties, religious organizations, or public advocacy groups.

6.2. Any person or party that engages in the following business is ineligible to be a Sponsor:

- a. manufacturing of armaments and weapons, or
- b. producing and selling pornography, or illegal sexual services, or
- c. any other categories as reasonably determined by the City Manager.

6.3. The above eligibility restrictions may be reviewed at any time by the City Manager and be modified by the City Manager from time to time and at any time in the City Manager's sole discretion, and will take effect immediately upon being published (as an amendment to this Policy) on the City's website.

6.4. Sponsorship involving products and services that may be considered harmful to the health of the target audience will require explicit approval by the City Manager.

(7) Rules on Procurement and Solicitation of Sponsorships

7.1. As noted in the Definitions, there are three types of Sponsorship solicitation:

- a. Competitively Procured Sponsorship Arrangements,
- b. Un-Solicited Sponsorship Proposals, and
- c. Direct Solicited Sponsorship Proposals.

7.2. Competitively Procured Sponsorship Arrangements must be approved by the Department Head for the applicable City Asset and City Manager before being issued to the market by the Chief Procurement Officer in accordance with the Procurement Policy.

7.3. Un-Solicited Sponsorship Proposals shall be reviewed by the applicable Sponsorship Manager and if deemed appropriate forwarded to the Sponsorship Review Group for review and, if acceptable, completed in accordance with Section 6(9) of this Policy.

7.4. Direct Solicited Sponsorship Proposals must be pre-approved by the Sponsorship Review Group prior to commencement of discussion and then completed in accordance with Section 6(9) of this Policy.

(8) Principles of Competitive and Open Solicitation of Sponsorship Opportunities

8.1. Wherever possible, Sponsorships will be solicited in an open, competitive and transparent manner in accordance with the Procurement Policy.

8.2. Un-Solicited Sponsorship Proposals and Direct Solicited Sponsorship Proposals will generally be avoided if it is possible to conduct a Competitively Procured Sponsorship Arrangement.

8.3. The solicitation, negotiation and administration of all Sponsorship Agreements are to be conducted in a transparent and objective manner by the Sponsorship Manager in consultation with the Chief Procurement Officer or by a third party agency contracted to solicit Sponsorships

on the City's behalf, all in accordance with the Procurement Policy. The procurement of and contracting with third party agencies is governed by the City's Procurement Policy.

(9) Non-Competitive Sponsorship Arrangements

9.1. Non-Competitive Sponsorship Arrangements, resulting from Un-solicited Sponsorship Proposals and Direct Solicited Proposals may be considered at any time, but the City has no obligation to accept any of them.

9.2. Direct Solicited Sponsorship Proposals may be pursued and considered as a Permitted Sponsorship Sole Source, if the Sponsorship Review Group determines they meet the following criteria:

- a. The opportunity has a significant potential in terms of Total Value (in excess of \$250,000 but subject to change by the Sponsorship Review Group from time to time), and
- b. The opportunity is aligned with the City's corporate and policy goals.

9.3. Un-solicited Sponsorship Proposals may be considered as a Permitted Sponsorship Sole Source, if the Sponsorship Review Group determines they meet the following criteria:

- a. The opportunity is aligned with the City's corporate and policy goals;
- b. The Un-solicited Sponsorship Proposal relates to a City Asset for which a set timeline is in place, and the timing of the Un-Solicited Sponsorship Proposal coincides with that timeline, and
- c. The Sole Source provisions of Section

9.1(b) and (c) of the Procurement Policy are satisfied except that, i The Notice of Intent to Contract provisions do not apply and are replaced by the Notice of Intent to Contract provisions set out in Section 6(9.4) of this Policy.

ii "Total Price" will be read as "Total Value"

iii "Contract" will be read as "Sponsorship Agreement"

iv "Best Value" (for Sponsorships having a Total Value over the threshold in Section 9.1(c) of the Procurement Policy) will not be determined by the Chief Procurement Officer or City Solicitor but instead will be determined in accordance with Section 6(3.1) of this Policy

v "Best Value" means the rights and benefits to the Sponsor must be proportionate to the Total Value being provided to the City as determined

- for Total Value over the threshold in Section 9.1(c) of the Procurement Policy, by the Sponsorship Review Group or in the case of urgency by the City Manager and Chief Procurement Officer in accordance with Section 6(3.1) of this Policy, and
- for Total Value under the threshold in Section 9.1(c) of the Procurement Policy, by the staff authorized to do so under that Section 9.1(c).

9.4. Prior to signing a Non-competitive Sponsorship Arrangement, a Notice of Intent to Contract is to be issued as soon as possible, with the goal of minimum 4 weeks prior to signing, on the BC Bid and/or City web-site, advertising the City's intent to enter into a contract without a public competitive procurement process. In situations where the Un-solicited or Direct Solicited Sponsorship Proposal is received with less than 4 weeks prior to the activation, the City may proceed with the proposal as long as the Notice of Intent to Contact is issued as soon as possible following the receipt of the proposal. If no complaints or concerns have been lodged in response to the Notice of Intent to Contract, this may be treated by the applicable authorized City staff as further support for the proposed Non-competitive Sponsorship Arrangement. Where there have been complaints or concerns lodged in response to the Notice of Intent to Contract, the applicable authorized City staff must be satisfied that such complaints or concerns do not warrant going out to a Competitively Procured Sponsorship Arrangement prior to proceeding with same.

9.5. A list of all Sponsors will be provided for public view on the City's website

(10) Call, Commitment, Signing and Change Authority for Sponsorship Agreements

10.1. Competitively Procured Sponsorship Arrangements:

Subject always to the requirements in Section 6(7.2) of this Policy on the authority to Call for a Competitively Procured Sponsorship Arrangement, the provisions of the Procurement Policy including Table 1 of the Procurement Policy will apply as follows:

- "Total Price" will be read as "Total Value"
- "Contract" will be read as "Sponsorship Agreement"
- "Funding Authority" will be read as "authority to issue a Call pursuant to the Sponsorship Policy"

10.2. Non-Competitive Sponsorship Arrangements: The Commitment Authority and Signing Authority for Non-Competitive Sponsorship Arrangements will not be governed by the Procurement Policy.

Commitment Authority is now delegated to the Sponsorship Review Group for all Non-Competitive Sponsorship Arrangements having a Total Value less than \$500,000. Signing Authority is now delegated to the Sponsorship Manager and City Solicitor for all Non-Competitive Sponsorship Arrangements having a Total Value less than \$500,000.

10.3. With respect to any Extension, Change Order, or other matter delegated to staff under the Procurement Policy, the Chief Procurement Officer and City Solicitor will have such authority (in consultation with the Sponsorship Manager) with respect to such matters as they apply to any Sponsorship Arrangement with Sections 7 and 8 of the Procurement Policy applying only to such changes to a Sponsorship Agreements having a Total Value under \$500,000 and with Table 2 of the Procurement Policy being overridden by this Section 6(10.3).

10.4. Any Sponsorship having a Total Value of \$500,000 and over requires Council approval prior to the Sponsorship Agreement being authorized and signed.

(11) Monitoring, Reviewing and Reporting

11.1. Application of the City's Sponsorship Policy, and its financial and nonfinancial impacts on a City-wide level, will be monitored and reviewed by the Sponsorship Managers, who will annually report to the City Manager.

11.2. A list of all Sponsors currently under contract with the City shall be listed for public view by the City Manager on the City's website.

11.3. This Policy is to be reviewed by the City Manager or designate every two years and updated as required.

11.4. The City Manager, Director of Finance, 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 Library, Police, Park Board and 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.

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

- Procurement Policy – ADMIN-008
- Ethical Purchasing Policy – AF-014-01
- Supplier Code of Conduct
- City's Code of Conduct Policy - Staff – ADMIN-010
- Budgets – Operating – ADMIN-004
- Budgets – Capital – ADMIN-005
- Visual Standards Guide

APPENDIX C
PROPOSED NEW CITY OF VANCOUVER SPONSORSHIP
AND SPONSORSHIP NAMING RIGHTS POLICY

This appendix contains the proposed new City of Vancouver Sponsorship and Naming Rights Policy, recommended for approval in this Report.



Corporate Policy

POLICY TITLE	Sponsorship and Sponsorship Naming Rights Policy
CATEGORY	Council
POLICY NUMBER	COUN-011
POLICY OWNER	CMO (City Manager's Office)
ACCESS	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.



Corporate Policy

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.



Corporate Policy

- 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.



Corporate Policy

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).



Corporate Policy

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.



Corporate Policy

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