

DIVISION

Parks

SUBJECT

PARK ASSET NAMING AND DONATIONS FOR PARK IMPROVEMENTS

I. SCOPE

COMMUNITY AND LIBRARY SERVICES

II. PURPOSE

To establish guidelines in the development and management of park asset naming rights programs and donations for park improvements. The policy will provide guidelines for entering into naming rights agreements in exchange for providing financial or material in-kind support for a specified park asset, making a donation to the City for park improvements, and proposing the re-naming of an existing park asset.

III. POLICY

The City Orange Community and Library Services Department (Community Services Department) may secure revenue and/or in-kind support for the benefit of its park system with the addition or development of new park assets which in turn benefits the community at large. The City of Orange or an organization affiliated with the City (Organization) may fundraise for new City park assets for the purpose of generating revenue, reducing expenses, increasing awareness of parks and recreation programs, and complementing the visitor experience.

The Community and Library Services Department provides quality, life-enriching, park spaces to the community, which translates into exceptional visibility for sponsors. It is the goal of this policy to further sponsorship opportunities for the ultimate benefit of the public. Sponsors will receive recognition for their financial or in-kind contribution based on the agreed upon benefits to a level comparable with sponsors' investment, without detracting from the visitor/customer/community member experience or impairing the visual qualities of the park facility or asset. It is the policy of the Community and Library Services Department that sponsorship and naming rights solicitation and agreements as well as donations for park improvements will exist in accordance with the guidelines set forth in this policy.

A. Definitions

1. **Park Asset:** Park amenities such as park buildings, fields, pavilions, and other facilities, rooms, art, or other physical features owned, operated, managed, and/or maintained by

Community Services Department. Park assets may also include marketing assets such as advertising and promotional materials, digital and social media, and signage. A new park asset could include a new park amenity or renovation and new or upgraded equipment (i.e. - playgrounds, fitness equipment) in an existing park.

2. Sponsorship: Sponsorship is a relationship with a person (an individual, corporation, limited liability company, or any other legal or commercial entity) where that person/corporation provides funds over a specified term, and in return, the person/entity receives acknowledgement of the sponsorship via specific benefits such as inclusion in marketing materials, signage, digital media, promotions, and/or display area. The person/entity may also receive other benefits, including certain designations, or category exclusivity.
3. Donation: Gift of money, goods, or services to the City or Organization without the expectation of a benefit in return.

B. Naming Rights for New Amenities

Naming rights of City approved amenities as part of the Community Services Capital Improvement Plan can vary in level and can include naming a room, pavilion, field, or other visible and accessible amenity.

1. Naming rights are positioned before the asset name, providing a strong alignment and ownership of the asset, for example “Company Name Skate Plaza at New Park”. Sponsors may receive exclusive naming rights on City Capital Improvement Projects for which any donation matches or exceeds 75% of the total budgeted cost for the amenity. The name will remain for the lifetime of the amenity, at which time, the Sponsor and City may agree to renew the naming rights based on an agreed dollar amount determined by the value of the amenity at that time. Lifetime of the amenity is determined by the needs of the City and is subjective per the City’s discretion.

C. Fundraising Campaigns

From time to time, the City may receive offers for outside groups/Organizations to identify sponsors to fundraise for specific, new park assets not funded through the City’s Capital Improvement

Plan, in exchange for benefits. These Organizations, intending to fundraise for multiple naming rights or major projects must take the following steps:

1. Develop recommendations for naming opportunities with gift/benefit levels prior to receiving gifts and offering naming rights to prospective donors.
2. Draft and submit recommended naming opportunities to the Department Director for review.
3. Department Director will submit the proposal to the City Attorney's office for legal review and preparation of a draft agreement with the Organization, to be followed by final approval of the City Council. Only after City Council approval may the Organization begin soliciting donations and accepting sponsorships.
4. Naming proposals that do not align with the City's mission, vision, or values, nor political organizations will not be considered.
5. Organizations conducting fundraising campaigns with naming opportunities attached must immediately notify City staff when a naming proposal is under consideration in order to facilitate an administrative review.
6. Acceptance of a naming proposal by an Organization conducting a fundraising campaign must be considered conditional pending approval of the City Council.

D. Guidelines Associated with Donations (outside of Sponsorship or Fundraising Campaign)

Donations made to the City for City approved park improvements and/or assets outside of a sponsorship/fundraising campaign can be made to the City of Orange directly.

1. Donor will receive a letter of acceptance and a certificate of donation acknowledgement and the location of the donated item/improvement (when applicable).
2. In some cases, recognition of donation may be given at a Commission or Council meeting.

3. Donor will receive a certificate of acknowledgement for the donation and their name will be placed on the City's website and posted on social media.

E. Nonpublic Forum Status

The City of Orange's acceptance of sponsorships, and the advertising included in a sponsorship agreement, does not provide or create a public forum for expressive activities or for discourse and debate. Rather, as noted, the City's purpose and intent is to secure additional means of generating revenue to support the Community and Library Services Department in their efforts to develop and improve its park system through new park assets. In furtherance of that objective, the City retains strict control over the nature of the sponsors and content accepted for posting online, and in its parks, facilities, and on its property. The City maintains its advertising space as a nonpublic forum. This policy is intended to provide clear guidance as to the types of advertisements that will allow the City to generate revenue and enhance parks by fulfilling the following important goals and objectives:

1. Maintain a position of neutrality and preventing the appearance of favoritism or endorsement by the City.
2. Preventing the risk of imposing objectionable, inappropriate or harmful views on a captive public audience.
3. Preventing any harm or abuse that may result from running objectionable, inappropriate or harmful advertisements.

The City of Orange's sponsorship and naming rights opportunities are a nonpublic forum and, as such, the City will accept only that advertising that falls within the categories of acceptable advertising specified in this neutral policy and that satisfies all other access requirements and restrictions provided herein.

F. Disclaimer of Endorsement

The City of Orange does not endorse the products, services, or ideas of any sponsor. The City's acceptance of a sponsorship does not constitute express or implied endorsement of the content or message of the advertisement, including any person, organization, products, services, information or viewpoints contained therein, or of the advertisement sponsor itself. This endorsement disclaimer extends to and includes content that may be found via internet addresses, quick response (QR) codes, and telephone numbers that may appear

in posted ads and that direct viewers to external sources of information.

G. Right to Decline

The City of Orange reserves the right to decline a sponsor if, upon review, acceptance of the funds is determined to not be in the best interest of the City. At its discretion, the City may reject a sponsorship offer. Circumstances under which this may occur include, but are not limited to: The potential sponsor seeks to secure a contract, permit; seeks to impose conditions that are inconsistent with the City's mission, values, policies, and/or planning documents; seeks to impose conditions that are inconsistent with the City's Equity values; seeks to impose conditions that are inconsistent with the City's environmental stewardship values; or Acceptance of a potential sponsorship would create a conflict of interest or policy.

H. Special Privileges

Becoming a sponsor or making a donation does not entitle a sponsor/donor to any special privileges other than those as agreed upon with the fundraising Organization or that are stated in this policy.

I. Individual Recognition

The naming of a park asset in honor of an individual is discouraged, especially if the individual is still living. However, it may be recommended that the City Council approve naming of a park asset in honor of an individual under the following conditions:

1. They have no other City facility or park asset named for them.
2. The individual, their family, or a community organization has made exceptional contributions to the City.
3. The significance of the contribution of the individual/organization needs to be evaluated in terms of the service impact of the facility. Individuals and organizations that have made contributions of regional or community wide significance may be considered for naming of park assets that serve the region of community. Individuals and organizations that have made contributions of area or

neighborhood wide significance may be considered for naming of park assets that serve the area and neighborhood.

IV. PROCEDURE

A. New Park Assets

Organizations shall propose naming rights opportunities for new park assets for consideration to the Community and Library Services Department Director. If the Director approves the proposal in principle, the proposed naming rights opportunity will be presented to the City Council for final approval. Once approved, the City will implement the benefits agreed upon with the Sponsor or fundraising Organization and any applicable termination provisions.

B. Re-Naming of Existing Park Assets

Financial donors interested in receiving naming rights for an existing park asset will be handled on a case-by-case basis, allowing the City to determine the appropriateness of re-naming the amenity, value of a particular asset, and duration of benefit comparable to the donation. While discouraged, re-naming proposals for existing park assets must:

1. Align with City's mission, vision, and values. Political organizations will not be considered.
2. Recommended to the City Council for final approval.

C. Cancellation Provision

In the event of unforeseen or extenuating circumstances, the City reserves the right to revoke any asset naming rights granted under this policy at its sole discretion and without liability.