



City of North Port

RESOLUTION NO. 2019-R-05

A RESOLUTION OF THE CITY OF NORTH PORT, FLORIDA, ADOPTING A CITYWIDE SPONSORSHIP POLICY; INCORPORATING RECITALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is the City's intent to utilize and maximize the community's resources by offering sponsorship opportunities through a non-public forum to individuals, businesses, and non-profit entities that provide services and/or products to City residents and whose services, products, or messages are consistent with the mission and values of the City of North Port; and

WHEREAS, the implementation of a sponsorship policy for City events, activities, programs and areas will provide additional sources of financial, in-kind, and technical assistance to enhance the City's ability to deliver events, activities, programs and areas; and

WHEREAS, the assistance from individual, business, and non-profit entities enables the continuation and expansion of City services and amenities; and

WHEREAS, the City Commission of the City of North Port, Florida finds that it serves the public health, safety, and welfare of the citizens of the City to adopt the citywide sponsorship policy as presented.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, AS FOLLOWS:

SECTION 1 – INCORPORATION OF RECITALS

- 1.01 The recitals outlined above are incorporated by reference as findings of fact as if expressly set forth herein.

SECTION 2 – RESOLUTION

- 2.01 The City Commission hereby adopts the "Sponsorship Policy for City Events, Activities, Programs and Areas" as an administrative policy, which is attached hereto as Exhibit "A" and incorporated as if set forth herein.
- 2.02 The City Commission directs the City Manager to establish a sponsorship application that includes, at a minimum and as further determined by the City Manager, the responsibilities of the City and Sponsors.

SECTION 3 – CONFLICTS

- 3.01 In the event of any conflict between the provisions of this Resolution and any other resolution or portions thereof, the provisions of this Resolution shall prevail to the extent of such conflict.

SECTION 4 – SEVERABILITY

- 4.01 If any section, subsection, sentence, clause, or phrase of this Resolution is held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5 - EFFECTIVE DATE

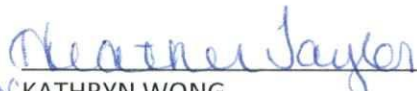
- 5.01 This Resolution shall take effect immediately after adoption by the City Commission of the City of North Port, Florida.

PASSED and DULY ADOPTED by the City Commission of the City of North Port this 2nd day of May 2019.

CITY OF NORTH PORT, FLORIDA


CHRISTOPHER HANKS
MAYOR

ATTEST:


for KATHRYN WONG
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:


AMBER L. SLAYTON
CITY ATTORNEY

RESOLUTION NO. 2019-R-05		
Effective Date: 5/6/2019	Resolution Number: 2019-R-05	Latest Revision Date: 5/6/2019
Subject: Sponsorship Policy for City Events, Activities, Programs and Areas		City Manager Approval:

ORDINANCE REFERENCE:

N/A

DEPARTMENT

Type appropriate departments that the respective Resolution applies to using letters in UPPER CASE

ALL DEPARTMENTS

PURPOSE

State the purposes of establishing the respective Resolution

It is the City's intent to utilize and maximize the community's resources by offering sponsorship opportunities to individuals, businesses, and non-profit entities that provide services and/or products to City residents and whose services, products, or messages are consistent with the mission and values of the City.

OBJECTIVE

State the objective(s) of the Resolution if applicable

To provide a non-public forum where sponsorship opportunities and additional sources of financial, in-kind, or technical assistance can be provided and developed to enhance the City's ability to deliver events, activities, programs and areas.

DEFINITIONS

Define any necessary term used in the Resolution

Event: A City event, activity, program or area made available for sponsorship.

Sponsor: An individual, business, or non-profit entity, whose submitted sponsorship application and pledged financial or in-kind donation for a specific event, activity, program or area is accepted by the City.

Sponsorship Opportunity: A Sponsor's ability to have their branding, product, name, and/or logo temporarily visible on City property and materials. The details of these opportunities are specific to each event, activity, program or area and may include materials such as banners, signs, brochures, posters, t-shirts, or other promotional items. Sponsorship Opportunities may change

annually or from time to time. A list of the current Sponsorship Opportunities is available at www.cityofnorthport.com/sponsor or by contacting the Department of Parks and Recreation.

RESPONSIBILITIES

State the responsibilities involved in carrying out the Resolution

CITY RESPONSIBILITIES

The City will provide the Sponsorship Opportunity that corresponds to the sponsorship level chosen by a Sponsor on its sponsorship application. If for any reason the City is unable to provide a proposed Sponsorship Opportunity, the City must inform the Sponsor as soon as reasonably possible. The City and Sponsor may agree in writing to adjust, substitute, or provide similar or alternative Sponsorship Opportunities.

SPONSOR RESPONSIBILITIES

Each Sponsor must accept the terms and conditions contained in this Administrative Regulation. A Sponsor must make full payment of the amount pledged and/or deliver the pledged in-kind donation as identified on its sponsorship application pursuant to the deadlines identified in this policy. A Sponsor must provide the City with any branding, product, name, logo, and/or other requested materials for approval before those materials will be displayed at an Event. A Sponsor's failure to provide this information or material within ten (10) days prior to the sponsored Event will allow the City to substitute text copy where appropriate.

PROCEDURES

State the procedures involved in complying with the Resolution

PRESENTING SPONSOR

Each Event may have one (1) Sponsor designated as the Presenting Sponsor; there will be only one (1) Presenting Sponsor per Event. Where the City holds an Event annually, the Event's Presenting Sponsor may renew its pledge to be the Presenting Sponsor for the same Event the following year by applying at least nine (9) months before the following year's Event. Payment of the pledged amount must be made within thirty (30) days after applying to be the Presenting Sponsor. If the Presenting Sponsor fails to timely pay its pledged amount, the City may accept a different Presenting Sponsor for the Event.

PLEDGE PAYMENT (if applicable, does not apply to in-kind donations)

A Sponsor's pledged amount must be paid in full within thirty (30) days after submitting a sponsorship application, unless the City and the Sponsor agree to another date. A Sponsor must timely pay the full amount pledged in order to participate in the Event as a Sponsor. If a Sponsor fails to timely pay the pledged amount, the City may terminate the sponsorship.

IN-KIND DONATION

The City may accept in-kind donations if they are a necessary component of an Event, i.e., donating necessary supplies. The City will work with Sponsors and accept volunteer hours as a form of in-kind donation.

NOT AN ENDORSEMENT OF SPONSOR

The City does not endorse any aspect of a Sponsor, or a Sponsor's services, products, or message. The City's display of a Sponsor's logo or message does not imply an affiliation with the Sponsor other than as outlined within the Sponsor's application and this policy; any implied affiliation is accidental. The City will reject any sponsorship application where the involvement of the applicant may compromise the public's perception of the City's neutrality or its ability to act in the public interest. A Sponsor's participation in an Event, and the views and opinions expressed by a Sponsor, do not necessarily state or reflect those of the City, its Commissioners, or employees and must not be interpreted by the public as the City making a statement or taking an action that directly or indirectly advocates or endorses the Sponsor, its organization, product(s), or services.

POLICY AND MESSAGE CONTENT

- A. The City's sponsorship program is a non-public forum in which the City exercises sole discretion over the eligibility to participate as a sponsor according to the terms of this policy. The City has full control over the acceptance or rejection of a sponsorship application and full editorial control for the placement, content, and appearance of a Sponsor's message when it appears on City property. The City's decision regarding the appropriateness of an applicant's or Sponsor's participation or message is final; the City may revise, reject, or omit content as it sees fit on any message that appears on City property.
- B. The City will not reject a sponsorship application based on an applicant's viewpoint. However, the City does not seek and will not accept Sponsors that manufacture products or take positions inconsistent with local, state, or federal law or with the City's vision, mission, values, or policies.
- C. Any applicant engaged in any of the following activities, or that has a mission supporting any of the following subject matters, or that in the City's sole discretion and judgment is deemed to be unsuitable for or contrary to community standards for the appropriateness of government speech, is prohibited from being a Sponsor or displaying its message on any City property:
 - 1. Commentary, advocacy, promotion, or depiction of issues, candidates, or campaigns pertaining to political elections;
 - 2. Promotion or depiction of profanity, obscenity, or sexually-oriented products, activities, or materials;
 - 3. Promotion or depiction of bigotry, prejudice, discrimination, or hate;
 - 4. Promotion or depiction of firearms, explosives, weapons, or the glorification of violent acts; or
 - 5. Promotion, glorification, or depiction of illegal products, activities, or materials.

CONFLICTS

A Sponsor, and its employees, agents, contractors, or representatives must not disparage the Sponsored Event, damage the goodwill associated with the Event, or be prejudicial to the image and/or reputation of the Event or City's involvement therein. The City may deny a future sponsorship application where it is determined that a Sponsor has violated this section.

FORCE MAJEURE

Should a sponsored Event be closed, cancelled, curtailed, or adversely affected by any cause not within the reasonable control of the City, including but not limited to fire, flood, explosion, lightning, windstorm, earthquake, or destruction, in whole or in part, of machinery or equipment or failure of supply of materials, discontinuity in the supply of power, government interference, civil commotion, riot, war, strike, labor disturbance, transportation difficulties, labor shortage, or any cause beyond the reasonable control of the City, the City is under no obligation to provide a Sponsor with a refund of all or part of the Sponsor's donation. If it becomes necessary to cancel an Event, it may or may not be rescheduled. If the Event is rescheduled, a Sponsor's donation will be applied towards the rescheduled Event; otherwise, a Sponsor's donation is not refundable. However, the City may in its sole discretion provide the Presenting Sponsor of a canceled Event with a silver level Sponsorship Opportunity for a future Event of the approximate or equivalent size as the canceled Event.

TERMINATION

The City has the right to terminate any sponsorship for any or no reason at any time. Only the City Manager or designee has the authority to terminate a sponsorship, notice of which must be provided to the Sponsor.