

PINELLAS COUNTY SPONSORSHIP POLICY

I. PURPOSE:

A. The aim of this policy is to create an authorized environment for entering into sponsorship agreements with third parties where such sponsorships are mutually beneficial to both parties in a manner that is consistent with all applicable policies set by Pinellas County. The purpose of the policy and procedures as outlined is to:

1. uphold the County's stewardship role to safeguard the County's assets and interests;
2. provide employees with guidelines and procedures based on best practices; and
3. protect Pinellas County from risk.

B. The policy provides an enabling environment for the County to enter into sponsorship agreements within set guidelines and procedures for the purpose of optimizing non-tax revenue sources. Under the conditions of this policy, County staff may solicit such sponsorship agreements.

C. The County shall not relinquish to the sponsor any aspect of the County's right to manage and control the County's assets or facilities.

D. This policy is not applicable to philanthropic contributions, grants, or unsolicited donations in which no benefits are granted to the sponsor and where no business relationship exists.

II. SCOPE:

A. This policy applies to all County business units, departments and divisions.

B. This policy does not apply to:

1. Independent foundations or registered charitable organizations from which the County may receive benefit.
2. Philanthropic contributions or unsolicited donations to the County.
3. Funding obtained from other orders of government through formal grant programs.
4. County sponsorship support of external projects where the County provides funds to an outside organization.

5. Third parties who lease County property or hold permits with the County for activities or events.

III. DEFINITIONS:

A. "sponsorship" shall mean a mutually beneficial business arrangement between the County and a third party, wherein the third party provides cash and/or in-kind services to the County in return for access to the commercial and/or marketing potential associated with the County. Sponsorships may include sponsorship of one or more of the County's services, projects, events, facilities or activities.

B. "sponsorship agreement" shall mean a mutually beneficial, contractual agreement that reflects the business arrangement for the exchange of commercial and/or marketing benefits between the County and a third party for a specified period of time.

C. "sponsor" shall mean a third party that enters into a sponsorship agreement with the County.

D. "in-kind sponsorship" shall mean a sponsorship received in the form of goods and/or services rather than cash.

E. "request for sponsorship (RFS)" shall mean an open and competitive process whereby third parties may express their interest in participating in sponsorship opportunities with the County. Requests for sponsorship should include a summary of the sponsorship opportunity, benefits for participation, and a description of the open and competitive procedure for expressing interest in participating in sponsorship opportunities.

F. "naming rights" shall mean a type of sponsorship in which a third party purchases the exclusive right to name a whole asset or venue. The naming of a component of an asset or venue (e.g. – bench in a park, specific room in a building) is not considered to be naming rights for the purposes of this policy and would be categorized as per section VI (Type A or C). Sponsorship naming rights are considered in the commercial context only, where the naming right is sold or exchanged for significant cash or other revenue support. This arrangement must be documented in an agreement signed by the interested parties and shall have a specified end date to the contractual obligations. This policy shall not apply to honorary and philanthropic naming rights, which are addressed as provided in the Pinellas County Honorary and Philanthropic Naming Rights Policy.

G. "naming rights agreement" shall mean a written contract evidencing the right to name or re-name County-owned facilities or land that contains terms acceptable to the County. In most cases, indemnification and termination clauses would be required as part of the agreement. All such agreements are to be reviewed by the County Attorney prior to finalization to ensure that The County's legal interests are protected. Dates indicating the term of the agreement should be indicated.

H. "philanthropic contribution" shall mean a contribution to Pinellas County from a third party for which there is no reciprocal commercial and/or marketing benefit expected or required from the County. Such contributions are separate and distinct from sponsorship and shall be governed by a separate County policy.

IV. RESTRICTIONS:

A. In general, the following industries and products are not eligible for sponsorships with Pinellas County: police-regulated businesses; faith-based and political organizations; companies whose business is substantially derived from the sale of alcohol, tobacco, firearms or adult use (as defined in Sec. 42-51, Pinellas County Code). Sponsorships by sponsors that fall into one of the above-stated categories shall be subject to review and approval by the Board of County Commissioners.

B. Pinellas County shall reject advertising that does not comply with the standards set forth in this policy. All full advertising graphic designs must be submitted in sufficient detail to determine content and final general appearance to the County Administrator or his/her designee for review and approval before application. The approval process for advertising design shall not exceed ten (10) business days from time of submittal.

C. The following standards for advertising are adopted and will not be displayed:

1. Is false, misleading or deceptive
2. Relates to an illegal activity
3. Is explicit sexual material, obscene material, or material harmful to minors
4. Advertises Tobacco products
5. Includes Language which is obscene, vulgar, profane, or scatological
6. Relates to instruments, devices, items, products or paraphernalia that are designed for use in connection with specific sexual activities
7. Depicts violence and/ or anti-social behavior

V. POLICY:

A. Sponsorships will not result in any loss of Pinellas County jurisdiction or authority.

VI. SPONSORSHIP CATEGORIES:

- A. Program Sponsorship: Sponsorship of a Pinellas County event, program or asset.
- B. Naming Rights Sponsorship: Any sponsorship that falls into the definition for Naming Rights.
- C. Purchasing Sponsorship: Any sponsorship that includes purchasing of commodities, materials, equipment, or services.

VII. PROCEDURES & AUTHORITY:

A. Any sponsorship projects that seek a sponsor providing a sponsorship in excess of the amount set out in Section 2-179(b), Pinellas County Code must be submitted in writing to the County Administrator or his/her designee using the *Sponsorship Project Form* attached to this policy.

B. Utilizing the approved *Sponsorship Project Form*, a Request for Sponsorship (RFS) shall be developed and forwarded to County Administrator or his/her designee for approval. Upon approval, RFS must be publicly noticed for a minimum of ten (10) business days prior to any designated closing date for submission of proposals. Public notice shall consist, at a minimum, of posting on the County's web site.

C. All sponsorship proposals must be submitted in writing. For all sponsorship proposals submitted in response to an RFS, with the exception of Purchasing sponsorships:

1. Negotiations shall be conducted by designated contact as defined on the RFS. Negotiations may commence after the RFS has been publicly noticed.

2. Upon completion of negotiations, *Sponsorship Agreement Form* (attached to this policy) shall be completed by designated contact and forwarded with *Sponsorship Agreement Transmittal Slip* (attached to this policy) to Department Director. The Sponsorship Agreement Form may not be completed until the RFS has been publicly noticed for a period of at least ten (10) business days.

- a) If "Fair Market Value" listed on *Sponsorship Agreement Form* does not exceed purchasing competitive bid threshold stated in Pinellas County Code Section 2-176 (a), then *Sponsorship Agreement Form* shall be completed by designated contact and sent to Department Director for approval (*Sponsorship Agreement Transmittal Slip* will not be used). Upon approval, Department Director shall forward a copy to County Administrator or his/her designee for informational purposes. Skip to step 8 below.

3. Department Director shall forward to Risk Management.

4. Risk Management shall forward to Office of Management & Budget. Upon approval by Office of Management & Budget, Sponsorship Agreement form shall be forwarded to County Administration.

5. After approval by County Administration, the agreement shall be forwarded to County Attorney's Office.

6. All sponsorships with sponsorship value in excess of Director of Purchasing bid award authority as stated in Pinellas County Code Section 2-176 (f) shall be forwarded to County Administrator for approval.

7. All sponsorships in excess of County Administrator bid award authority as stated in Pinellas County Code Section 2-176 (f) are subject to approval by Board of County Commissioners. In addition, all Naming Rights sponsorships and all sponsorships by sponsors that fall into a category listed in the section titled "Restrictions" shall be subject to approval by Board of County Commissioners, regardless of the sponsorship value.

8. If not approved at any stage of approval process, Sponsorship Agreement form shall be returned to designated contact with explanation for non-approval.

D. All Purchasing sponsorship requests shall be governed by Board of County Commissioners Purchasing Ordinance and Policies.

E. All approved sponsorship agreements must include:

1. Signatures by authorized representatives of the County and the sponsor. Authorized representative of the County shall be the highest ranking approval authority from the above-stated review process.

2. Term of the agreement, including provisions for termination.

3. Details of the exchange of benefits, including what will be provided to the County by the sponsor and what will be provided by the County to the sponsor.

F. A report summarizing approved sponsorship agreements shall be filed on the consent agenda of the Board of County Commissioners at least quarterly and filed with the Clerk of the Circuit Court for placement in board records.

G. Solicitation and negotiation of sponsorships will be conducted by County staff who are specifically designated by the department director, or by outside contract as approved by the department director. Directors are responsible for ensuring that staff understand the requirements of this policy and that they are provided with appropriate guidance and/or training related to sponsorship practices. All County sponsorship

agreements will be negotiated in good faith and represent the County in a professional manner.

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