

# **Proposed Policy for Naming Rights to a Warren Township Parks, Facilities, Buildings and Fields**

## **Policy Statement:**

It is the desire and intent of the Warren Township Committee to seek sponsorships for Township facilities and properties from individuals, foundations, corporations, nonprofit organizations, and service clubs, for the purpose of increasing the Township's ability to deliver services to the community and/or to provide enhanced levels of service beyond the core levels funded from the Township's general fund. In appreciation of such support, it is the policy of the Warren Township Committee to provide sponsors with suitable acknowledgement of their contributions. However, such recognition shall be based upon an adherence to the aesthetic values and historic character of the Township's facilities and properties. In addition, such recognition shall not detract from visitor's experience or expectation, nor shall it impair the visual qualities of the site or be perceived as creating a proprietary interest. Signs of recognition shall conform to all applicable laws and ordinances.

**Proposed Policy needs to address different types of Sponsors and Sponsorship opportunities, which may create different circumstances for naming rights.**

**Fixed-Term Sponsorship/Naming Right:** A sponsorship agreement (for a significant contribution to be determined case-by-case basis by the Township Committee for naming rights) that includes the naming display of recognition of the corporate sponsor of an item, facility, or portion of a facility for a predetermined limited amount of time.

## **Guiding Principles:**

The following principles form the basis of the Township's consideration of sponsor proposals:

1. All sponsorships must directly relate to the intent and historic character of Warren Township's property, facility or service, and its master plan.
2. Sponsorships cannot be made conditional on Warren Township's performance as a basis for such sponsorship.
3. Sponsorship benefits offered should be commensurate with the relative value of the sponsorship.
4. Individual sponsors should not limit the Township of Warren's ability to seek other sponsors.
5. On-going operating costs associated with the sponsor's proposal should be considered.
6. Sponsorships will need to provide a positive and desirable image to the community.
7. Recognition benefits to be offered do not compromise the design standards, historic character, and visual integrity of the property or facility.
8. An evaluation of the potential sponsor which shall not be limited to:
  - Principles of the organization
  - Products and services offered
  - Organizations record of involvement in environmental stewardship and social responsibility
  - Sponsor's rationale for its interest in the Township of Warren
  - Sponsor's expectations, timeliness, and/or readiness to enter into an agreement.

## **RECOGNITION OF SPONSORS:**

1. In recognition of a sponsor's contribution, preference will be given to providing a form of recognition that is not displayed on the Township property.ie website, forms and approved media sources.

2. Recognition of a sponsorship shall not suggest in any way the endorsement of the sponsor's goods or services by the Township of Warren, or any favoritism of the sponsor relative to Warren Township.
3. Any physical form of on-site recognition shall not interfere with visitor use or with routine Township operations.
4. The form of any on-site recognition shall be of an appropriate size and color and shall not detract from the property surroundings or any interpretive message. (Township Ordinance 16.25)
5. All sponsorship agreements will be for defined period of time to be determined by the Township Committee on a case-by-case basis, having regard to the value of the sponsorship and the life of the asset being sponsored.

#### **RECOGNITION LEVELS:**

- **\$1- 100+ Friends of (Name of Project)** – Name in Commemorative program
- **\$500+ Bronze Level** – Name in Program, Certificate
- **\$1,000+ Silver Level** – Name in Program, Certificate, Recognition award, Free Rental of the Pavilion
- **\$5,000+ Gold Level** – Name in Program, Certificate, Recognition award, Name on Plaque, Free Rental
- **\$10,000+ Platinum Level**- Name in Program, Certificate, Recognition Award, Name on Plaque, Free Rental, Recognition on website
- **\$15,000+ Patron level** - All of the above including Recognition in all media sources, including website and email blast
- **\$25,000+ Benefactor Level** –all of the above, Elite Recognition includes signage, website, Facebook, Official Ribbon cutting ceremony....Naming rights

#### **SPONSORSHIP AGREEMENT:**

All sponsorship offers shall be the subject of a written sponsorship agreement with terms decided on and approved on a case-by-case basis by the Township Committee in a form approved by the Township Attorney.

#### **SPONSORSHIP PROCESS:**

All sponsorship opportunities shall be sought out and developed under the guidance of this sponsorship policy. As needed, Warren Township shall develop a sponsorship plan that includes a prioritized sponsorship opportunities list for the purpose of soliciting sponsorships. The Township Committee shall approve the list.

As a guideline, the threshold for considering the naming of a public place and/or facility will include one or more of the following:

- Land, which was deeded to the Township, for the majority of the development.
- When developing the public place and/or facility, a significant contribution determined case-by-case basis by the Township Committee for naming rights.
- Provision of a minimum 20-year endowment for the continued maintenance and/or programming of the public place and/or facility.
- Exceptions to this policy will be considered on their merits on a case-by-case basis.
- Sponsors seeking naming rights for major gifts with respect to an individual will be encouraged to follow the principles that apply to naming a public place and/or facility for an outstanding person.

To ensure a consistent and coordinated approach, prior to approaching a potential sponsor the Township Committee shall determine the content and layout of the proposal document, recognition benefits to be offered, and the organizations, companies, and/or individuals to be approached.

Upon securing a sponsor, the Township Committee will execute the necessary written sponsorship agreement and benefit recognition provisions. On-going administration of the written sponsorship agreement and the management of the sponsor's relationship with the Township shall be the responsibility of the affected Department Director and or the Township Administrator.

**DETERMINATION AS TO WHETHER SPONSORSHIP IS A "CONCESSION":**

CERTAIN SPONSORSHIPS MAY BE CONSIDERED "CONCESSIONS" UNDER THE LOCAL PUBLIC CONTRACTS LAW AND ITS REGULATIONS. THE DETERMINATION ON THE LEGALITY OF PROCURING A "CONCESSION" UNDER THE LOCAL PUBLIC CONTRACTS LAW AND ITS REGULATIONS SHALL, IN THE FIRST INSTANCE, BE MADE BY THE TOWNSHIP ATTORNEY BY WAY OF LEGAL OPINION. IF SUCH OPINION IS THAT THE SPONSORSHIP IS A "CONCESSION", IT SHALL BE SUBJECT TO A QUOTATION PROCESS OR BY COMPETITIVE CONTRACTING (DEPENDING UPON THE VALUE OF THE SPONSORSHIP) AS REQUIRED BY LAW.

**TERMINATING SPONSORSHIPS:**

The Township of Warren reserves the right to terminate any sponsorship should conditions arise during the life of that sponsorship which that result in the sponsorship conflicting with this policy or the sponsorship no longer being in the best interests of Warren Township, including the on-going reputation and character of the sponsor. Decisions to terminate a sponsorship shall be made by the Township Committee, in their sole and absolute discretion.

**REJECTION OF SPONSORSHIP OFFER:**

On occasion, the Township of Warren may need to reject a sponsorship offer. The Township reserves the right to reject a sponsorship for any reason including:

- The potential sponsor seeks to secure a contract, permit or lease.
- The potential sponsor seeks to impose conditions that are inconsistent with Warren Township's, values, policies, and/or planning documents.
- Acceptance of a potential sponsorship would create a conflict of interest or policy, e.g., a sponsorship from a tobacco company or political campaign, etc.
- The potential sponsor is in litigation with the Township of Warren.
- Any basis upon which the Township Attorney believes that such a sponsorship would be contrary to law.

**Prepared by Recreation Director, Joseph Passaro on November 4, 2019**