



POLICY

GUIDELINE NAME: NAMING RIGHTS

CATEGORY: CITY GOVERNMENT – EFFECTIVE GOVERNANCE
APPROVED BY COUNCIL: 2019/12/16
DEPARTMENT RESPONSIBLE: EXTERNAL RELATIONS

1. POLICY STATEMENT:

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

This policy is intended to cover Naming Rights for Civic Facilities. There is a companion policy, the City of Prince George Commemorative Naming Policy, that governs Commemorative Naming. Commemorative Naming is not normally made in exchange for financial consideration.

The City recognizes Naming Rights as an opportunity to offset the costs of municipal infrastructure, programs, and operations, and as a way to recognize partnerships contributing to local services and quality of life.

2. PURPOSE:

The purpose of this Policy is:

- 2.1 To provide clear and consistent guidance regarding Naming Rights for Civic Facilities;
- 2.2 To uphold the City's stewardship role in safeguarding the City's assets, interests, and image;
- 2.3 To encourage investment in Civic Facilities;
- 2.4 To balance public and private interests by encouraging naming in exchange for financial consideration while acknowledging continued public investment in and ownership of Civic Facilities; and
- 2.5 To provide an enabling environment for the City to enter into Naming Rights Agreements with corporations, groups, or individuals within set guidelines and procedures.

3. SCOPE / APPLICABILITY

- 3.1 This policy applies to existing or planned Civic Facilities.
- 3.2 This policy does not apply to:
- 3.2.1 The naming of neighbourhoods, subdivisions, streets and roadways;
 - 3.2.2 The naming of litter containers, park benches, picnic tables and trees;
 - 3.2.3 Core Facilities as defined in Section 4;
 - 3.2.4 Civic Facilities where the City has an existing Occupation Agreement with a Tenant that includes Naming Rights; and
 - 3.2.5 Advertising within Civic Facilities and sponsorships of programs, projects, events and activities.

4. DEFINITIONS

In this policy, the following terms have the meanings set out below:

“City” means the City of Prince George municipal corporation;

“City Council” means the municipal council of the City of Prince George;

“City Manager” means the chief administrative officer of the City;

“Civic Facilities” means any property, facility, structure, building, or portion thereof, owned or controlled (through a lease or occupation agreement) by the City. This includes but is not limited to arenas, conference centres, pools, bridges, trails, parks, playgrounds, sports fields, athletic parks and ball diamonds. Civic Facilities as it pertains to the City of Prince George Naming Rights Policy excludes properties identified in section 3.2;

“Commemorative Naming” means the naming of a Civic Facility or parts thereof, in honour of individual(s) or organization(s) for outstanding achievement, distinctive service, and/or significant community contribution. Commemorative naming can also be made in honour of historic sites, significant events, or geographic features. Commemorative naming is not normally made in exchange for financial consideration. Commemorative Naming by the City is addressed within a separate policy: City of Prince George Commemorative Naming Policy;

“Core Facilities” means Prince George City Hall, City fire halls, and City police stations;

“Naming Entity” means the entity (e.g. corporation, community organization, or individual) to whom Naming Rights are granted pursuant to a Naming Rights Agreement;

“Naming Rights” means the right to name a Civic Facility, or parts of Civic Facility, granted in exchange for financial consideration, and where a Naming Entity provides goods, services or financial support to the City in return for the Naming Entity’s access to the commercial and/or marketing potential associated with the public display of the organization's name on a Civic Facility for a specified period of time;

“Naming Rights Agreement” means a contractual agreement for the exchange of naming rights between the City and the Naming Entity for a specified period of time;

“Occupation Agreement” means the lease, sublease, license, sublicense, management or operating agreement which grants a Tenant the right to use and occupy a Civic Facility or a portion thereof;

“Tenant” means a person, corporation, organization or other entity occupying a Civic Facility through an Occupation Agreement.

5. GUIDING PRINCIPLES

- 5.1 The City supports revenue generation from Naming Rights Agreements when these agreements directly benefit the community of Prince George and the City. These agreements must result in a net financial benefit to the City.
- 5.2 Civic Facilities that are available for Naming Rights will not normally be considered for Commemorative Naming. However, Civic Facilities that are already commemoratively named may also be considered for Naming Rights without requiring the removal of the existing Commemorative Name.
- 5.3 Naming Rights Agreements will normally not be considered if they:
 - 5.3.1 imply the City’s endorsement of a partisan political or ideological position or of a commercial product;
 - 5.3.2 convey a message that might be deemed prejudicial to race, religion, gender or sexual orientation;
 - 5.3.3 present demeaning or derogatory portrayals of communities or groups, or in light of generally prevailing community standards, could reasonably be expected to cause offence to a community or group;
 - 5.3.4 promote alcohol or other addictive substances at venues geared primarily to children; or
 - 5.3.5 involve an individual, business or organization whose products or services are known to include the sale of sexually explicit materials or illegal products or substances.

- 5.4 Naming Rights Agreements must not compromise the City's or a Tenant's ability to carry out its functions fully and impartially.
- 5.5 Signage and acknowledgement associated with Naming Rights must comply with all applicable laws and City bylaws, and must be approved in advance by the City. While the physical display of the Naming Right shall be negotiated or decided upon as part of the Naming Rights Agreement, such recognition must not unduly detract from the character, integrity, aesthetic quality, or safety of the property, or unreasonably interfere with its enjoyment or use.
- 5.6 During the consideration of Naming Rights, the City will endeavour, to the extent reasonably practicable and in accordance with this Policy, to balance confidentiality of the Naming Entity with the City's responsibility to maintain transparent processes and provide information to the public.
- 5.7 Proceeds from the Naming Entity for Naming Rights of a Civic Facility will be received by the City and used by the City for any lawful purpose.
- 5.8 All Naming Rights Agreements will be for a fixed term.
- 5.9 Neither the City nor its Tenant(s) may relinquish any aspect of its right to manage and operate a Civic Facility through a Naming Rights Agreement.
- 5.10 A Naming Rights Agreement must not conflict with the terms and conditions of any existing Occupation Agreement between the City and a Tenant.
- 5.11 The granting of Naming Rights will not entitle a Naming Entity to preferential treatment by the City outside of the Naming Rights Agreement.
- 5.12 An independent market valuation will normally inform a Naming Rights Agreement to ensure a fair, transparent, and consistent practice.

6. AUTHORITIES

- 6.1 City Council may:
 - 6.1.1 Approve and authorize Administration to enter into a Naming Rights Agreement; and
 - 6.1.2 Authorize Administration to terminate a Naming Rights Agreement.
- 6.2 The City Manager may:
 - 6.2.1 Solicit, receive, and develop proposals for Naming Rights;
 - 6.2.2 Evaluate Naming Rights proposals for Civic Facilities based on this Policy;
 - 6.2.3 Bring to City Council proposals for Naming Rights for approval; and

- 6.2.4 Provide reports to Council from time to time on Naming Rights Agreements that are nearing expiration or where Council may wish to consider terminating Naming Rights Agreements.

7. NAMING RIGHTS AGREEMENTS

- 7.1 Naming Rights Agreements will be in the form of a legally binding contract between the City and Naming Entity and should include or address the following matters:
 - 7.1.1 A description of the naming arrangement;
 - 7.1.2 The term of agreement;
 - 7.1.3 Renewal options, if any;
 - 7.1.4 Value assessment, including cash and/or in-kind goods and services (and method of evaluating the value of in-kind contributions);
 - 7.1.5 The responsibilities for the cost of the development and installation of a logo, signage and any other promotional benefit which should be carried whenever possible by the Naming Entity;
 - 7.1.6 Naming and signage rights and any additional promotional benefits;
 - 7.1.7 Fees and costs, accompanied by a payment schedule;
 - 7.1.8 Installation and maintenance of signage;
 - 7.1.9 The ability for the City to remove or cover signage for limited periods such as during an event where the City has a legal obligation to ensure sites are free of competing corporate signage (e.g. a named sporting event);
 - 7.1.10 Release, indemnification and early termination clauses in favour of the City;
 - 7.1.11 The right for the City to terminate a Naming Rights Agreement if the Naming Entity fails to fulfill its obligations in regards to the payment schedule, uses the City's name outside the parameters of the Naming Rights Agreement without prior consent, or if the Naming Entity develops a public image that is unacceptable to Council;
 - 7.1.12 Reference to procedures and costs to be incurred once a Naming Rights Agreement has expired or terminated; and
 - 7.1.13 Insurance clauses in favour of the City.

The following documents do not form part of the policy and are for staff reference only.

The following pages include:

- Report to Council from the Council meeting agenda
- Meeting minutes containing the resolution of Council approving the policy

DATE: December 5, 2019

TO: MAYOR AND COUNCIL

NAME AND TITLE: Rob van Adrichem, Director of External Relations

SUBJECT: City of Prince George Naming Policies

ATTACHMENT(S): Draft Policy: Naming Rights
Draft Policy: Commemorative Naming

RECOMMENDATION(S):

That Council:

1. APPROVES the City of Prince George Naming Rights Policy attached to the report dated December 5, 2019 from Rob van Adrichem, Director of External Relations, titled “City of Prince George Naming Policies.”
2. APPROVES the City of Prince George Commemorative Naming Policy attached to the report dated December 5, 2019 from Rob van Adrichem, Director of External Relations, titled “City of Prince George Naming Policies.”

PURPOSE:

The City of Prince George has had a practice of naming civic facilities and parks both in exchange for financial consideration as well as in honour of individuals, communities, and organizations. To date, however, these arrangements have not been informed by City policy.

STRATEGIC PRIORITIES:

As identified in the 2018 Annual Report, Council aims to:

- Collaborate with local organizations and partners to enhance quality of life, cultural vitality, local heritage, and inter-cultural understanding
- Celebrate community successes in order to foster community pride
- Prioritize infrastructure re-investment and renewal to ensure the delivery of critical recreation, emergency, transportation, and utility services
- Maintain fiscal sustainability and balance service levels with affordability of City services, facilities, and operations

DISCUSSION:

Administration has developed two policies – one on commemorative naming and the other on naming rights – that define the opportunity, clarify the principles associated with naming, and confirm the authority of Council to approve, and potentially remove, naming arrangements.

These naming policies are intended to provide guidance to the City in regards to how it will assess and determine naming arrangements in ways that that are consistent and recognize the public interest. The development of these policies was informed by the Government of BC's guidelines and the policies and experiences of other municipalities such as Calgary, Vancouver, and Fort St. John.

SUMMARY AND CONCLUSION:

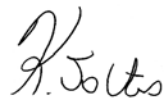
The policies on Naming Rights and Commemorative Naming provide a framework for decision-making and the consistent application of naming to civic facilities. They would provide important guidance in any conversations about the potential naming of civic facilities, either in honour of a naming entity, and/or in exchange for financial considerations.

RESPECTFULLY SUBMITTED:



Rob van Adrichem, Director of External Relations

APPROVED:



Kathleen Soltis, City Manager
Meeting date: December 16, 2019



POLICY

GUIDELINE NAME: COMMEMORATIVE NAMING

CATEGORY: CITY GOVERNMENT – EFFECTIVE GOVERNANCE
APPROVED BY COUNCIL:
DEPARTMENT RESPONSIBLE: EXTERNAL RELATIONS

1. POLICY STATEMENT:

Commemorative Naming refers to the naming of a Civic Facility in honour of an individual or organization for outstanding achievement, distinctive service, and/or significant community contribution. Commemorative naming may also be made to recognize or acknowledge historic sites, significant events, or geographic features. Commemorative naming is not normally made in exchange for financial consideration.

This policy is intended to cover Commemorative Naming for Civic Facilities. There is a companion policy, City of Prince George Naming Rights Policy, which governs the City granting the right to name a Civic Facility or portions thereof in exchange for financial consideration.

2. PURPOSE:

The purpose of this Policy is:

- 2.1 To provide a clear and consistent framework regarding Commemorative Naming for Civic Facilities.
- 2.2 To provide evaluation frameworks and approval processes for City Council.

3. SCOPE / APPLICABILITY

- 3.1 This policy applies to existing or planned Civic Facilities.
- 3.2 This policy does not apply to:
 - 3.2.1 The naming of neighbourhoods, subdivisions, streets and roadways;
 - 3.2.2 The naming of litter containers, park benches, picnic tables and trees;

- 3.2.3 Core Facilities as defined in Section 4;
- 3.2.4 Civic Facilities where the City has an existing Occupation Agreement with a Tenant that includes Naming Rights; and
- 3.2.5 Advertising within Civic Facilities and sponsorships of programs, projects, events and activities.

4. DEFINITIONS

In this policy, the following terms have the meanings set out below:

“City” means the City of Prince George municipal corporation;

“City Council” means the municipal council of the City of Prince George;

“City Manager” means the chief administrative officer of the City;

“Civic Facilities” means any property, facility, structure, building, or portion thereof, owned or controlled (through a lease or occupation agreement) by the City. This includes but is not limited to arenas, conference centres, pools, bridges, trails, parks, playgrounds, sports fields, athletic parks, and ball diamonds. Civic Facilities as it pertains to the City of Prince George Commemorative Naming Policy excludes properties identified in section 3.2;

“Commemorative Naming” means the naming of a Civic Facility or parts thereof, in honour of an individual or organization for outstanding achievement, distinctive service, and/or significant community contribution. Commemorative naming can also be made in honour of historic sites, significant events, or geographic features. Commemorative naming is not normally made in exchange for financial consideration;

“Commemorative Naming Proposal” means a proposal for Commemorative Naming that is submitted to the City in accordance with this Policy;

“Core Facilities” means Prince George City Hall, City fire halls, and City police stations;

“Naming Rights” means the right to name a Civic Facility, or parts of a Civic Facility, granted in exchange for financial consideration. Naming Rights are addressed in the City of Prince George Naming Rights Policy;

“Occupation Agreement” means the lease, sublease, license, sublicense, management or operating agreement which grants a Tenant the right to use and occupy a Civic Facility or a portion thereof;

“Tenant” means a person, corporation, organization or other entity occupying a Civic Facility through an Occupation Agreement.

5. GUIDING PRINCIPLES

- 5.1 The City supports Commemorative Naming because of its ability to showcase the City's location and history as well as the special contributions of organizations and individuals. This helps to foster community identity and pride, and enhances Prince George's reputation.
- 5.2 Council has the authority to grant and remove Commemorative Naming of Civic Facilities.
- 5.3 The approval of Commemorative Naming should not result in ongoing costs for the City beyond what would be normal for the ongoing operation of the Civic Facility.
- 5.4 Wording on signage associated with Commemorative Naming should be in English and may also be in any other language approved by the City Council as appropriate in that instance.
- 5.5 Proposals for Commemorative Naming may be generated by Council, or submitted to the City by an organization or individual, as per Section 7.
- 5.6 Civic Facilities that have been identified for Naming Rights are not normally considered for Commemorative Naming. However, Civic Facilities may be considered for Naming Rights without requiring the removal of an existing Commemorative Name.
- 5.7 Commemorative Naming must not compromise the City's or a Tenant's ability to carry out its functions fully and impartially.
- 5.8 Tenant(s) will be notified of a Commemorative Naming Proposal for a Civic Facility they occupy through an Occupation Agreement.
- 5.9 The City's Heritage Commission will be notified if a Civic Facility on the Heritage Registry is proposed for Commemorative Naming.
- 5.10 Commemorative Naming is normally permanent. Council may, however, remove Commemorative Names upon consideration of the following:
 - 5.10.1 The historical context and/or significance (or perceived insignificance) of the existing name;
 - 5.10.2 The potential consequences for the individual or organization associated with the existing name;
 - 5.10.3 Any information regarding the effect of the name on the City's image;
 - 5.10.4 The cost and related implications of changing the name, such as replacing existing signage, rebuilding community recognition/awareness, and updated records; or
 - 5.10.5 Any other situation which Council deems appropriate.

- 5.10.6 An independent market valuation will normally inform a Naming Rights Agreement to ensure a fair, transparent, and consistent practice.
- 5.11 Commemorative Naming will normally not extend beyond the asset life of the Civic Facility named.
- 5.12 When naming Civic Facilities after individual persons, the practice shall be to use names of persons who are retired and/or deceased. Naming proposals will not be considered in honour of elected officials who are currently in office.
- 5.13 During the consideration of a Commemorative Name, the City will endeavour, to the extent reasonably practicable, to balance its responsibility to maintain transparent processes and provide information to the public, with its responsibility to maintain confidentiality regarding third party interests.
- 5.14 Proposals for Commemorative Naming shall be evaluated using the following guidelines:
- 5.14.1 The extent to which the naming proposal reflects Prince George’s history or heritage, is deserving of City recognition, and/or furthers a sense of community;
 - 5.14.2 The degree to which the proposed name is consistent with the City’s Reconciliation Framework;
 - 5.14.3 The degree to which the name may be regarded as offensive;
 - 5.14.4 The degree to which the name may be precedent-setting,
 - 5.14.5 The extent to which the name is used elsewhere in Prince George and may be confused with another facility or area, making it problematic or confusing for dispatching emergency services personnel;
 - 5.14.6 The ability of the proposed name to withstand the test of time;
 - 5.14.7 The ability to retain the original name (or parts thereof) within the new proposed name;
 - 5.14.8 The degree to which the name coincides or conflicts with the geographical or topological features, landmarks of historical significance/background, and/or ownership of the location;
 - 5.14.9 The availability of alternative means to recognize citizens’ contributions other than naming a Civic Facility; and
 - 5.14.10 Consideration of whether the Civic Facility should instead be named in exchange for financial consideration in accordance with the City of Prince George Naming Rights Policy.

6. AUTHORITIES

- 6.1 City Council may:
 - 6.1.1 Approve Commemorative Naming Proposals and authorize Administration to implement the name and enter into any associated agreements; and
 - 6.1.2 Authorize the removal of Commemorative Naming.
- 6.2 The City Manager may:
 - 6.2.1 Evaluate Commemorative Naming proposals for Civic Facilities based on this Policy; and
 - 6.2.2 Bring Commemorative Naming proposals to Council for decision. These proposals will be accompanied by a staff report.

7. NAMING RIGHTS AGREEMENTS

- 7.1 The following information should be provided in any Commemorative Naming Proposal:
 - 7.1.1 Name of individual(s)/organization(s) making the application, if applicable;
 - 7.1.2 Name of individual(s)/organization(s) being proposed for Commemorative Naming;
 - 7.1.3 Name of historical site, significant event, geographic feature, or other basis for naming if not an individual or organization;
 - 7.1.4 Background and reasons why the name should be considered; if an individual, a biography that includes the person's field(s) of endeavour. Example, civic affairs, the environment, sports, etc.;
 - 7.1.5 Where appropriate, written consent from the nominee or their estate granting use of the name;
 - 7.1.6 Proposed name for the Civic Facility;
 - 7.1.7 Map noting location of the Civic Facility that is to be named;
 - 7.1.8 Any evidence of public input;
 - 7.1.9 In the case of a Civic Facility where there is a tenant(s), input from the tenant(s) or occupant(s); and
 - 7.1.10 Any other information deemed relevant.



POLICY

GUIDELINE NAME: NAMING RIGHTS

CATEGORY: CITY GOVERNMENT – EFFECTIVE GOVERNANCE
APPROVED BY COUNCIL:
DEPARTMENT RESPONSIBLE: EXTERNAL RELATIONS

1. POLICY STATEMENT:

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- 2.3 To encourage investment in Civic Facilities;
- 2.4 To balance public and private interests by encouraging naming in exchange for financial consideration while acknowledging continued public investment in and ownership of Civic Facilities; and
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- 3.1 This policy applies to existing or planned Civic Facilities.
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6. AUTHORITIES

- 6.1 City Council may:
 - 6.1.1 Approve and authorize Administration to enter into a Naming Rights Agreement; and
 - 6.1.2 Authorize Administration to terminate a Naming Rights Agreement.
- 6.2 The City Manager may:
 - 6.2.1 Solicit, receive, and develop proposals for Naming Rights;
 - 6.2.2 Evaluate Naming Rights proposals for Civic Facilities based on this Policy;
 - 6.2.3 Bring to City Council proposals for Naming Rights for approval; and

- 6.2.4 Provide reports to Council from time to time on Naming Rights Agreements that are nearing expiration or where Council may wish to consider terminating Naming Rights Agreements.

7. NAMING RIGHTS AGREEMENTS

- 7.1 Naming Rights Agreements will be in the form of a legally binding contract between the City and Naming Entity and should include or address the following matters:
 - 7.1.1 A description of the naming arrangement;
 - 7.1.2 The term of agreement;
 - 7.1.3 Renewal options, if any;
 - 7.1.4 Value assessment, including cash and/or in-kind goods and services (and method of evaluating the value of in-kind contributions);
 - 7.1.5 The responsibilities for the cost of the development and installation of a logo, signage and any other promotional benefit which should be carried whenever possible by the Naming Entity;
 - 7.1.6 Naming and signage rights and any additional promotional benefits;
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 - 7.1.9 The ability for the City to remove or cover signage for limited periods such as during an event where the City has a legal obligation to ensure sites are free of competing corporate signage (e.g. a named sporting event);
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 - 7.1.12 Reference to procedures and costs to be incurred once a Naming Rights Agreement has expired or terminated; and
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