



<p>The Town of</p> <h1 style="margin: 0;">Beaumont</h1> <p style="text-align: right; margin: 0;">Council Policy #33</p>
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CORPORATE PARTNERSHIP POLICY

Approved by Council Resolution #15/09/05

The 8th day of September, 2015

Policy Statement

The Town of Beaumont welcomes and encourages partnerships and advertising undertaken to assist in the provision of Town services and projects. All partnerships and advertising shall be consistent with the Town of Beaumont’s vision, mission and, values and will not compromise or contradict any bylaw or policy of the Town, or reflect negatively on the Town’s public image. All partnership and advertising agreements shall be established in a manner that ensures access and fairness, and results in the optimal balance of benefits to the Town and the community. Use of a Request For Proposal process is recommended for Naming Rights opportunities.

Purpose

The primary objectives of the policy’s parameters and guidelines are:

1. Create an enhanced experience for our residents and users;
2. Create exposure for our business partners; and
3. Increase the Town’s opportunities for revenue generation while safeguarding the Town’s corporate values, image and assets.

Guiding Principles

- Short-term partnership and advertising revenues should be used with caution to fund core programs and services.
- Partnerships should include a “Value-Add” to the participant involved in the sponsored program.
- Partnership recruitment needs to focus on “Audience Fit”.
- The focus of the “Ask” needs to be related to marketing-based objectives and not philanthropic motivations.
- The contribution of a company needs to be acknowledged in a public manner.
- The cost-benefit of sponsorship/advertising opportunities needs to be evaluated and prioritized on a case-by-case basis.

Scope

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Approval Date: September 8, 2015	<i>Economic Development Officer & Director, Parks, Recreation & Culture</i>
Revision Date:	
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This Policy applies to all relationships between the Town of Beaumont and businesses, organizations, and individuals that contribute either financially or in-kind to Town programs, services, or facilities in return for recognition, public acknowledgement, or other promotional considerations. This Policy applies to the following:

- Naming/Renaming of Municipal Property, Buildings, and Structures
- Program and Event Partnerships
- Paid Advertising on Municipal Property, at Beaumont Events, and in Municipal Publications
- Exclusive Contracts including, but not limited to, Pouring Rights or Vending Rights
- All other Corporate Partnership and Advertising opportunities that currently exist or that may arise in the future will be governed by this Policy.

DEFINITIONS:

Steering Committee: The Steering Committee as defined in the Corporate Partnership Steering Committee Terms of Reference.

CAO: The Chief Administrative Officer of the Town of Beaumont.

Commercial Partnering Arrangement: Any activity or transaction where a private sector (for profit) organization provides direct financial assistance or goods or services to help further the objectives of a specific cause or initiative. Commercial Partnering Arrangements may take the form of sponsorships, strategic philanthropy (cause marketing), or donations.

Sponsorship: A marketing-oriented, contracted arrangement that involves the payment of a fee or payment in-kind by a company in return for the rights to a public association with an activity, item, person, or property for mutual commercial benefit. Sponsorships can come in the form of financial assistance, non-cash goods, or a contribution of skills or resources. Sponsorships are not eligible for charitable income tax receipts.

Advertising: A commercial message directed at a specific audience, usually paid for by the advertiser and with no implied association between the advertiser and the organization offering the advertising opportunity.

Partnership: Any form of cooperation or collaboration between individuals or organizations that enables the sharing of financial, material, intellectual, or human resources in order to achieve objectives of a common project.

Strategic Philanthropy (Cause-marketing): Cause-marketing or cause-related marketing refers broadly to a type of marketing involving the cooperative efforts of a “for profit” business and non-profit organization for mutual benefit. Cause-marketing differs from corporate giving

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(philanthropy) as the latter generally involves a specific donation that is tax deductible while cause-marketing is a marketing relationship generally not based on a donation. Through these arrangements, the partner enhances their institutional image and benefits as a result of their strategic association with the cause. Contributions can come in the form of financial assistance, non-cash goods, or a contribution of skills or resources.

Donation: A voluntary transfer of cash or property such as securities, gifts, or in-kind services that is made without acceptance of any benefit of any kind accruing to the donor or any individual or organization designated by the donor. A donation is eligible for an official charitable donation receipt. A Donation can also be referred to as Corporate Giving.

In-Kind: A transaction involving a good or service that is provided to a project where no money is exchanged between the two organizations. In-kind services may be in the form of a sponsorship or a donation.

Naming Rights: A physical property, event, or other initiative where a sponsor’s name is added as a prefix to the name of the property or activity.

Sponsorship Property (Asset): Any physical property, event, cause, or other activity for which a sponsor can be associated and receive pre-determined benefits as defined through the sponsorship.

Sponsorship Benefits: Refers to the specific visibility, branding, or marketing benefits (deliverables) that the Town agrees to provide to the sponsor through the sponsorship arrangement.

Sponsorship Activation: Defined as those communications that promote the engagement, involvement, or participation of the sponsorship audience with the sponsor. Money spent on sponsorship activation is usually over and above the rights fee paid to the sponsored property.

Responsibilities

The Economic Development area is responsible for managing the Town’s Corporate Partnership Program. Other Departments may also be responsible for soliciting, negotiating, and administering their own Program and Event partnership or advertising agreements. In conjunction with Economic Development, staff approving partnership and advertising proposals must ensure that all relevant bylaws and policies are adhered to, that appropriate consultation and approval authorities are respected, and where applicable, that insurance, indemnification, best practices, and permits have been obtained. Departments are responsible for ensuring that third party advertising relationships abide by the restrictions noted in this Policy.

All staff are responsible for maintaining a log of all partnership and advertising contributions and for issuing a written acknowledgement of the agreement to each sponsor or advertiser. All

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partnership contributions in excess of \$25,000 in total value shall be confirmed in a Memorandum of Understanding (MOU) or other legal agreement.

Applications:

The Policy will be reviewed as necessary with modifications made based on the Town’s experience in applying the Policy.

- This Policy applies to all partnership and advertising received by the Town, solicited or unsolicited, and to all Town business units and departments.
- This Policy does not apply to:
 - a) Independent foundations or registered charitable organizations that the Town may receive benefit from.
 - b) Gifts or unsolicited donations to the Town.
 - c) Funding obtained from other orders of government through a formal grant program.
 - d) Town sponsorship support of external projects where the Town provides funds to outside organizations.
 - e) Third Parties who lease Town property or hold permits with the Town for activities or events (i.e. Community Associations).

Sponsorship Categories:

Facility Naming Rights: A mutually agreed to arrangement between the Town and an external party evidenced in writing whereby the external party contributes money or value-in-kind to a Town-owned facility in return for exclusive naming rights to the facility itself. These opportunities will be presented to the public by a Request for Proposal (RFP) process, applications will be reviewed by the Steering Committee, and a recommendation will be made to Town Council. Council will make decisions on all Facility Naming Rights opportunities.

Town-Initiated Program, Service or Event: The financial or value-in-kind support for Town organized activities. The sponsor’s name may be directly associated with the activity (i.e. “presenting” or “title” sponsorship”) and the sponsor will be provided a variety of temporary marketing opportunities. It is at the discretion of the relevant department, in conjunction with the Steering Committee, to determine whether a sponsorship agreement is required.

Advertising: The Town of Beaumont publishes a wide variety of material both in print and online. Areas may also be identified for advertising on Town Property or within Town Facilities. Additional advertising opportunities may be identified on the Town’s electronic sign or on other electronic display systems. These advertising opportunities may be marketed to the local and regional business and non-profit community as desired. The Steering Committee will manage all advertising opportunities.

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Exclusivity Agreements:

A mutually agreed to arrangement between the Town and an external supplier, evidenced in writing, that provides exclusive use of Town property or supply of goods and/or services such as beverage supply arrangements to the Town in exchange for money or value-in-kind. The Steering Committee will manage all exclusivity agreements.

General Conditions – Partnerships and Advertising

Partnerships or advertising agreements will adhere to the criteria and guidelines of this overall corporate policy, as well as incorporate terms and conditions outlined in the contractual agreements specific to the partnership or advertising opportunity.

All partnerships and advertising agreements must comply with federal and provincial statutes, municipal bylaws, and the standards set out by the Canadian Code of Advertising Standards (CCAS) administered by Advertising Standards Canada.

Partnerships or advertising shall not be solicited from businesses, organizations, or individuals who, in the sole discretion of the Chief Administrative Officer, are inappropriate partners of the municipality.

Partnership or advertising will not result in, or perceived to result in, any competitive advantage, benefit, or preferential treatment outside the agreement.

The relationship must not cause a Town employee to receive any product, service or assets for personal gain or use.

All sponsorship and advertising agreements must include a provision for termination by the Town in the event that the agreement is no longer deemed to be in the best interest of the Town.

Sponsorship or advertising will be sought and granted using broadly based, open processes; however, it is acknowledged that the majority of sponsorships shall be the result of direct solicitation by the Town staff, elected officials, or by company(s) retained by the Town for such purposes without the process of competitive bidding. Competitive bidding shall be considered as defined elsewhere in the policy and when it is determined that an opportunity will receive the maximum revenue generation and/or service through a competitive bidding process.

The Corporate Partnership Steering Committee shall make the sole and final determination as to whether a partnership or advertising opportunity may be a competitive or non-competitive arrangement.

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Unsolicited partnership and advertising proposals received by the Town will be reviewed and evaluated by the Steering Committee and relevant program director as per the provisions of the Policy. The Town reserves the right to reject any unsolicited sponsorships or advertising agreement that has been offered to the Town and to refuse to enter into agreements for any partnership or advertising that originally may have been openly solicited by the Town.

Specific Conditions - Partnership

- The Town supports the practice of entering into partnership agreements with third parties where such partnerships are mutually beneficial in a manner that is compatible with the Town’s missions, values, and policies.
- The Town shall not relinquish to the sponsor any aspect of the Town’s right to manage and control the Town’s assets or property through any Facility Naming Rights, Program, or Event partnership.
- Partnership recognition must not detract from the physical attributes, character, integrity, or safety of Town initiated events, and/or Town owned facilities and respect the use of the Town logo.
- Partnership rights are non-transferable without the written consent of the Town.

Naming Rights:

With the high profile surrounding Naming Rights and the length of the commitment for most of these arrangements, a more substantive approval process should be established. The recommended approval process for Naming Rights agreements is as follows:

1. Initial **Letter of Intent** signed by the potential Naming Rights sponsor and the Town that outlines the proposed Term, Payment Schedule, and Benefits. While it is advantageous to have as much detail as possible in this Letter, it is often used as an intermediary step to maintain momentum in the sales process, to ensure that the prospect is serious about the opportunity before undertaking all of the detailed work to confirm specific benefits, and to conduct an optional “dry run” with senior officials and/or elected representatives before any discussion goes public. Consultations with the appropriate elected official(s) to gain his/her concurrence with the opportunity and the potential corporate partner (Optional);
2. Letter of Intent signed-off by the Chief Administrative Officer;
3. Formal approval of the Naming Right Partner (and Terms as per the Letter of Intent) at Town Council;

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4. Preparation of a **Legal Naming Rights Agreement**.

The following specific guidelines shall be applied when entering into Naming Right agreements for Town-owned facilities and property:

- The Town will consider naming rights for Town-owned facilities when there is a significant revenue opportunity for the Town and where the proposed naming does not detract from the description or proposed use of the facility;
- The cost and impact of changing existing signage, rebuilding community recognition, and updating records must be considered before a property is renamed; and an estimate of these costs should be built in to the valuation of the naming rights;
- The costs for promotion of the renaming of a property shall be incorporated into the naming rights agreement and not the Town’s annual operating budget;
- The Town does not endorse the products, services, or ideas of any sponsorship or naming rights holder and naming rights holders are prohibited from implying that their products, services, or ideas are sanctioned by the Town;
- Any proposed re-naming of a facility requires Council approval. Naming rights agreements cannot be extended or automatically renewed without Council approval.

Approval of Program and Other Sponsorships

The Town of Beaumont also needs to establish a streamlined approval process for Non-Naming Rights opportunities as this will help maintain momentum through any partner negotiation process and increase chances for a successful agreement. The approval process does not need to be as complex as Naming Rights because it will likely be for a much shorter term as well as for less financial investment. These agreements also do not typically require a Letter of Intent. The Steering Committee will determine how this process could be structured, using the following guidelines:

- Discussions with affected municipal staff to agree on what will be proposed to the prospective sponsor;
- **Written Proposal** to the prospective sponsor that includes customized benefit elements;
- Proposal sign-off by the prospective sponsor, either on a signature page in the proposal or other means of written correspondence (i.e. e-mail);
- Preparation of **Legal Sponsorship Agreement** including finalized benefit deliverables inserted as an Addendum;
- Signing authority as indicated below.

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Proposed Signing Authority for Program and Other Partnerships

To streamline the approval process for these partnerships, it is recommended that approval authority be considered for various levels of investment. It will be important to have template agreements and approval processes in place prior to engaging the private sector, so that momentum may be maintained throughout the discussion/negotiation phases.

To facilitate this process, a general agreement will be put in place that can be used for all partnerships, with specific agreement details (e.g. payment terms and benefits) added as an Addendum to each agreement document. With this process, there will be less requirement for Legal to review the entire agreement each time, thus speeding up the approval process significantly.

Specific Conditions - Advertising

Advertising must not condone any form of personal discrimination, including discrimination on a prohibited ground pursuant to the *Canadian Human Rights Act* and the *Alberta Human Rights Code*.

The Town will only accept advertising that does not disparage any Town service or promote a product by drawing a negative comparison with a Town service.

The Town will not accept advertising of any alcoholic product.

All Advertising will follow the guidelines of the Canadian Code of Advertising Standards.

Although guided by the Canadian Code of Advertising Standards, the Town is the sole and final arbiter in all matters relating to advertising acceptance. On the recommendation of the Steering Committee, the Chief Administrative Officer may refuse or order removal of any advertising material at any time in his/her absolute discretion.

The Town reserves the right to limit the advertising of any product in any of its facilities and on any Town property.

Third-Party agents Selling Advertising on Behalf of the Town

The Chief Administrative Officer may, on the recommendation of the Steering Committee, enter into agreements with third-party agents to sell advertising on behalf of the Town.

The following process shall be applied in cases of disagreement between a third-party Company soliciting advertising on behalf of the Town and a potential advertiser:

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- Potential advertisers will deal with the Company directly and the Company shall interpret the Policy. If there is disagreement between the Company and a potential advertiser on policy interpretation, the matter may be referred to the Steering Committee.
- A contract must be signed with the Company before the matter will be considered by the Town. In cases where the content of an advertisement is in dispute, the contract will be signed “subject to approval by the Town”.
- The Steering Committee is charged with the responsibility of interpreting and implementing the Corporate Partnership Policy and may overrule decisions made by the Company.

Should a change in policy be requested or a question of policy interpretation be raised by potential advertisers, the Town may become involved, at its discretion. The Town continues to be the sole and final arbiter in all matters relating to Town advertising acceptance.

The Company agrees that advertising is to be accepted based on all current or future policies of acceptable advertising and the Town shall not be held responsible for any loss of advertising business as a result of any changes it shall make in its policy regarding the acceptability of certain types of advertising or individual advertisements.

Fund Allocation:

- Sponsorship proceeds received by the Town will be allocated to the Town’s general revenue account unless specified in the sponsorship agreement that proceeds received are to be used for a specific purpose. This allocation can be changed if mutually agreed to by both parties.
- Proceeds received by a Town-initiated Program or Event sponsorship will be allocated directly to support Town-initiated events.

PARAMOUNTCY :

In the event that any provision of this Policy conflicts with any other Town of Beaumont Council or Administrative Policy, this Policy shall prevail.

In the event that any provision of this Policy conflicts with any Town of Beaumont bylaw, or provincial or federal legislation, the latter shall prevail.

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The Town of
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Mayor

Legislative Clerk

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*Economic Development Officer
& Director, Parks, Recreation & Culture*