

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

___ Resolution or Ordinance (Blue) ___ *Waiver of First Requested*
x Recommendations of Boards, Commissions & Committees (Green)
___ Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES
FROM: Scott Niehaus, Village Manager
DATE: August 8, 2018 (B of T) Date: August 16, 2018
TITLE: Recommendation of the Community Promotion and Tourism Committee
Approval of a Board Policy on Municipal Sponsorships

BACKGROUND/POLICY IMPLICATIONS:

Attached please find information pertaining to a proposed Board Policy on Municipal Sponsorships. The proposed policy provides a framework for the standards, guidelines and approval criteria for the solicitation, consideration and acceptance of municipal sponsorships. The policy was developed, reviewed and recommend for approval by the Community Promotion and Tourism Committee.

Review (as necessary):

Village Attorney X _____	Date _____
Finance Director X _____	Date _____
Village Manager X _____	Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.

**MEMORANDUM**

TO: Scott Niehaus, Village Manager
FROM: Nicole P. Aranas, Assistant Village Manager
DATE: August 8, 2018
SUBJECT: **CONSIDERATION OF BOARD POLICY ON MUNICIPAL SPONSORSHIPS**

Attached please find information pertaining to a proposed policy on Municipal Sponsorships. The proposed policy provides for the provision of sponsorship support for programs, services, and departments by outside private entities and has been recommended for approval by the Community Promotion and Tourism Committee.

The proposed Village policy on municipal sponsorships provides a framework for the standards, guidelines and approval criteria for the solicitation, consideration and acceptance of municipal sponsorships. The proposed policy addresses the following areas:

- Policy objectives
- Sponsorship criteria
- Prohibited promotions
- Approved content
- Required authorizations
- Review criteria

The proposed policy authorizes sponsorships on a municipal level but does not set forth specific programs for sponsorship or details of particular sponsorship opportunities. The Village sponsored and operated Cruise Nights and Summer Concert Series and Fourth of July fireworks display have been identified on a preliminary basis as potential events for application of a new municipal sponsorship policy. Upon formal approval of the proposed municipal sponsorship policy, specific events that present sponsorship opportunities and detailed sponsorship packages will be identified. The Community Promotion and Tourism Committee has reviewed the proposed municipal sponsorship policy and has recommended it for approval by the Village Board of Trustees.

Please let me know if there are any issues, questions or concerns regarding this request.



VILLAGE OF LOMBARD
VILLAGE BOARD POLICY MEMORANDUM

SUBJECT: Sponsorship Policy

No. 5.1
By: Board of Trustees
Approved: August 16, 2018

I) STATEMENT OF POLICY

The Village of Lombard (the "Village") has determined to create a non-public forum with respect to programs and events undertaken by the Village, and sponsorship opportunities in relation thereto. The Village has opened its property (programs and events) in its proprietary capacity for speech that proposes a commercial transaction. It is not the intent of the Village to create a forum for unlimited public expression. Rather, the purpose of the forum is to provide advertising opportunities for commercial entities which will help to defray the costs of the programs and events. As such, all advertising displays and sponsorship opportunities allowed pursuant to this policy shall comply with the following provisions. Sponsorship does not constitute an endorsement by the Village of the sponsor, or the sponsor's products or services.

II) PURPOSE/OBJECTIVE

The purpose of this policy is to set forth standards, guidelines and approval criteria for solicitation, consideration and acceptance of sponsorships relative to Village programs and events. This policy is designed to protect the reputation, mission, image and values of the Village, while obtaining monetary and in-kind support for the Village's programs and events.

III) DEFINITIONS

- a. Sponsor – An individual or entity selected for sponsorship that enters into a sponsorship arrangement with the Village with the intent of promoting itself and/or its products or services.
- b. Sponsorship – A business transaction in which a sponsor provides funds, products or services to the Village, in consideration for the opportunity for the individual or entity to

promote his/her/its name, products or services in conjunction with a Village program or event.

IV) SPONSORSHIP CRITERIA

Sponsorships are offered and maintained as a nonpublic forum. Sponsorship agreements are not an endorsement of the sponsor or his/her/its products or services, but a sponsorship may be perceived or imply some affiliation between the Village and the sponsor. Such perceived affiliation can affect the public trust and the Village's ability to govern equitably, effectively and efficiently. Therefore, no potential sponsor and no offer of sponsorship will be approved that might compromise the public trust or the public perception of the Village's ability to act in the public interest, or that the Village deems might have a negative impact on its reputation, mission or image.

V) PROHIBITED SPONSORSHIP ADVERTISING

It is the Village's desire to identify eligibility standards for the advertising by sponsors. In this regard, the Village reserves the right to disapprove of any advertisement or display, relative to a sponsorship, that fails to abide by one or more of the following restrictions.

- All advertising displays must comply with all applicable laws, and with all ordinances, rules, regulations, requirements and specifications promulgated the Village.
- All commercial advertising must be truthful. False, deceptive or misleading commercial speech, libelous speech or copyright infringing speech is not permitted.
- Advertising that contains or depicts language, gestures, conduct or graphical representations that are obscene, pornographic, vulgar, profane or scatological, or which represents by language or graphics a "nude" or "seminude" person, is not permitted.
- Advertising that contains depictions of firearms or that portrays graphic violence, such as through the depiction of human or animal bodies or body parts in states of mutilation, dismemberment, disfigurement or decomposition, is not permitted.
- Advertising that promotes the use of illegal goods or services or unlawful conduct is not permitted.
- Advertising that refers to a specific ballot question, initiative, petition or referendum or refers to any candidate for public office is not permitted.
- Advertising that advocates or opposes a religion or religious belief is not permitted.

- Advertising that is directed to inciting or producing imminent lawless action and is likely to incite or produce such action, including but not limited to unlawful action based on a person's race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital or parental status, military discharge status or source of income, is not permitted.
- Advertising that contains material that demeans or disparages an individual or group of individuals is not permitted. For purposes of determining whether an advertisement contains such material, the Village will determine whether a reasonably prudent person, using prevailing community standards, would believe that the advertisement contains material that ridicules or mocks, is abusive or hostile to, or debases the dignity or stature of an individual or group of individuals.
- Advertising which promotes the sale or consumption of tobacco products, alternate nicotine products, or electronic cigarettes or vapes is not permitted.
- Advertising which states or implies that a sponsor's products, services or ideas are endorsed or sanctioned by the Village is not permitted.
- Except as specifically permitted elsewhere in this Sponsorship Policy, advertising which contains statements that advocate, contains price information or an indication of the associated savings or value, requests a response, or contains comparative or qualitative descriptions of products, services or organizations is not permitted.

VI) APPROVED SPONSORSHIP ADVERTISING

Sponsorship recognition advertising may identify the sponsor or product but should not promote or endorse the sponsor or its products or services. Generally used forms of branding and advertising including, but not limited to, those items set forth below shall be permitted in conjunction with sponsorship:

- Name of the individual or entity;
- Logos that identify (rather than promote) the individual, entity or his/her/its products or services;
- Sponsor product or service line, described in brief, generic, objective terms;
- Brief contact information for the individual or entity;

- Potential sponsorship opportunities that are more interactive than the permissible recognition messages above may also be permitted, relative to certain Village identified events and programs, including, but not limited to:
 - Give-away items, coupons, or other sponsor-related marketing materials;
 - Event booth space; and
 - Contests, drawings or other activities that request a response.

VII) AUTHORIZATION REQUIRED

All property, programs, events and publications of the Village are intended to be used for, and are exclusively used for, business operations of the Village in providing governmental services and programs to and for the Village's residents. Except as provided by law or expressly established by an affirmative action of the President and Board of Trustees of the Village, no property, program, event or publication of the Village shall be intended or considered as an open, limited or designated public forum, and no person or group shall have a right to access or use any Village property, program, event or publication for any purpose other than the intended and authorized governmental purpose or service. Placement of sponsorship advertising upon Village property, in Village publications or as part of Village programs or events shall require specific authorization from the Village.

The Village possesses sole and final decision-making authority for determining the appropriateness of a sponsorship relationship, and reserves the right to refuse to enter into any proposed sponsorship agreement. Village staff shall develop internal procedures for receiving and processing Village sponsorship applications, relative to those Village programs and events for which the President and Board of Trustees have authorized sponsorship opportunities. Such procedures shall be approved by the Village Manager, and shall include provisions relative to processing applications in the order of receipt, where a limited number of sponsorships are available.

VIII) CRITERIA FOR REVIEW IN ESTABLISHING SPONSORSHIP OPPORTUNITIES RELATIVE TO VILLAGE PROGRAMS AND EVENTS

In evaluating whether the Village should offer sponsorship opportunities relative to a particular Village program or event, and, if so, the nature and extent of such sponsorship opportunities, the following shall be considered:

- The extent and prominence of the public display of sponsorships;
- The aesthetic characteristics of the public display of sponsorships;
- The importance of the sponsorships to the mission of the Village;
- The level of support to be provided by the sponsors;
- The number of sponsorship opportunities and likely number of interested sponsors; and
- Whether the use of sponsorships relative to the program or event would: (1) undermine public confidence in the Village's impartiality; (2) interfere with the efficient delivery of Village services or operations; (3) result in conflicts of interest for Village officers or employees; or (4) otherwise impair the ability of the Village's elected officials to govern equitably, effectively and efficiently.