



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2604

www.CityofSacramento.org

Staff Report
April 6, 2010

**Honorable Mayor and
Members of the City Council**

Title: Department of Parks and Recreation Community Sponsorship Initiative

Location/Council District: Citywide

Recommendation: Adopt a **Resolution:** 1) adopting the Donation and Sponsorship Policy for the Department of Parks and Recreation ("Sponsorship Policy"); 2) adopting the Advertising Policy pertaining to advertising on Department of Parks and Recreation property ("Advertising Policy"); 3) authorizing the Director of the Department of Parks and Recreation ("Director") to implement the Community Sponsorship Initiative; and 4) authorizing the City Manager, the City Manager's designee, the Director, and the Director's designee to execute any contract, subject to approval as to form by the City Attorney, pursuant to the Sponsorship Policy and/or the Advertising Policy where the value of the donation or sponsorship or the income received by the City is less than \$100,000.

Contacts: Hindolo Brima, Media and Communications Specialist, 808-5972;
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Presenters: Dave Mitchell, Operations Manager;
Hindolo Brima, Media and Communications Specialist

Department: Parks and Recreation

Division: Administration

Organization No: 19001011

Description/Analysis

Issue: The Council has previously demonstrated its support for sponsorship initiatives that attract new revenues for its programs, services, and facilities. Most recently, Council reaffirmed its support for sponsorship initiatives in the *2030 General Plan* and the *Parks and Recreation Master Plan 2005-2010*, which directs the Department of

Parks and Recreation ("Department") to explore creative ways to fund its development, maintenance, and programming of the City's parks and recreation system.

With Council approval, the Department intends to implement a specialized facility and publication sponsorship and advertising program that will enable revenue-generating agreements with the private sector. Revenue from such agreements will help support essential programs, services, and facilities. The Department developed the Parks and Recreation Donation and Sponsorship Policy ("Sponsorship Policy") and the Advertising Policy pertaining to advertising on Department of Parks and Recreation property ("Advertising Policy") to provide guiding principles for the Department's sponsorship and advertising efforts. Guided by the principles enumerated in those two policies, the Department developed the Community Sponsorship Initiative ("CSI"), a program designed to attract in-kind and monetary sponsorships from private entities. CSI creates a framework for identifying potential sponsorship opportunities, establishes a process for evaluating those opportunities, and identifies the range of possible benefits and recognitions offered to sponsors.

The Department seeks approval of the Sponsorship Policy and Advertising Policy; authorization to implement CSI; and authorization for the City Manager and the Director, and their designees, to execute any contract, subject to approval as to form by the City Attorney, pursuant to the Sponsorship Policy and/or the Advertising Policy where the value of the donation or sponsorship or the income received by the City is less than \$100,000.

Policy Considerations: The Sponsorship Policy, Advertising Policy, and CSI are consistent with the City of Sacramento *2030 General Plan* and the *Parks and Recreation Master Plan 2005 - 2010*, which directs the Department to explore creative ways to fund its development, maintenance, and programming of the City's parks and recreation system.

Environmental Considerations:

California Environmental Quality Act (CEQA): This report concerns the creation of a government funding mechanism that does not involve commitment to any specific project which may result in a potentially significant impact; therefore, it does not involve a "project," as defined by the CEQA (CEQA Guidelines (Title 14 Cal. Code Reg. § 15000 et seq.) Section 15378 (b)(4)).

Sustainability Considerations: Not applicable

Other: Not applicable.

Commission/Committee Action: At the March 4, 2010, meeting of the Parks and Recreation Commission, the Commission voted unanimously to support the proposed Donation and Sponsorship Policy, Advertising Policy, and the CSI concept. The Commission also gave input on program details, definitions, and processes. Staff have reviewed this input and incorporated them into the overall plan, where applicable.

Rationale for Recommendation: Approving the Sponsorship Policy, Advertising Policy, and CSI will allow the Department to fully examine how best to use sponsorships to help alleviate its budget deficit and secure additional funding for vital programs, services, and facilities.

Financial Considerations: Two consecutive years of budget cuts have forced the Department to make significant cuts to programs and facility operating hours. CSI will help alleviate the impact of some of these cuts by attracting new financial support from entities keen to demonstrate their support for the Department's programs, services, and facilities.

The Department believes it can solicit thousands of dollars in new revenues through the CSI. Revenue forecasts indicate the Sacramento Softball Complex alone has the potential to attract a minimum of \$77,000 in new revenues during the program's first year. Forecasts indicate that permitting commercial advertising in the Department's Recreation Magazine has the potential to attract a minimum of \$9,000 in new advertising revenue during the program's first year. These funds will help support the Department's programs, services, and facilities.

Emerging Small Business Development (ESBD): Purchase of supplies and equipment will be made in accordance with the City's Emerging and Small Business Development program requirements.

Respectfully Submitted by:



Jim Combs

Director of the Dept. of Parks and Recreation

Recommendation Approved:



Gus Vina
Interim City Manager

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Background Information

The Department of Parks and Recreation (DPR) manages specialized programs, publications, and facilities that can benefit greatly from monetary or in-kind sponsorships. The need to identify new sources of revenue that are in line with prior Council direction and City policy is even more apparent today as the Department faces significant challenges due to two consecutive years of budget cuts, with the possibility of more cuts to come.

The Council has previously demonstrated its support for citywide sponsorship initiatives that attract new revenues for its programs, services, and facilities. Most recently, Council reaffirmed its support for sponsorship initiatives in the *2030 General Plan* and the *Parks and Recreation Master Plan 2005 - 2010*, which directs the Department to explore creative ways to fund its development, maintenance, and programming of the City's parks and recreation system.

With Council approval, DPR intends to implement a specialized facility and publication sponsorship program that will enable revenue-generating agreements with the private sector that can help alleviate the Department's budget deficit and support essential programs, services, and facilities. The Department defines "specialized facility" as any facility that has been designated for a single purpose. Examples of such specialized facilities include dog parks, pools, skate parks, community gardens, and single sport facilities.

It is important to note that community centers, club houses, playgrounds, and parks in general do not meet this definition of specialized facilities. One of the Department's key goals when implementing CSI at specialized facilities is to ensure that CSI-related activities, e.g., advertising, do not interfere with the designated purpose of other neighboring facilities/amenities or have a visual impact on the surrounding community.

The Department has developed two separate policies, the Donation and Sponsorship Policy for the Department of Parks and Recreation ("Sponsorship Policy") and the Advertising Policy pertaining to advertising on Department of Parks and Recreation property ("Advertising Policy"). The two policies provided the foundation for a new program called the Community Sponsorship Initiative ("CSI"). CSI was developed in order to attract in-kind and monetary sponsorships from entities that want to support the Department's programs and initiatives. CSI establishes a process for identifying appropriate sponsorship opportunities, sets up a mechanism for evaluating sponsorship requests, and identifies the range of benefits or recognitions sponsors can receive for their support. These benefits range from acknowledgement letters and certificates; and, family friendly recognition on special event literature and in specialized publications, web-based recognition, and commercial advertising at specific specialized facilities.

A partial list of California cities that have implemented similar sponsorship programs includes the City of San Diego, City of San Jose, City of Long Beach, City of Stockton, City of Santa Ana, City of Antioch, City of Daly City, City of Folsom, City of Milpitas, and the City of Pico Rivera.

The Department seeks authorization to implement CSI at the Sacramento Softball Complex at Del Paso Regional Park and other select specialized facilities, and also within the pages of the Department's Recreation Magazine. The Department has yet to determine at which other select specialized facilities CSI will be implemented. In addition to the Sacramento Softball Complex, it is likely that CSI will be implemented at one or more dog parks, pools, skate parks, and community gardens.

With respect to the softball complex, the Department intends to allow sponsors to place commercial advertising at specific locations within the complex, as determined by the Department's policies and protocols. The Sacramento Softball Complex is a specialized facility: it is utilized for one purpose—playing softball. Individuals who visit the site do so only to play or watch softball, and use of the site does not impact other facilities or users in the area. These characteristics make it an ideal implementation site for CSI. Revenue forecasts indicate the Sacramento Softball Complex alone has the potential to attract a minimum of \$77,000 in new funds this year. These funds will help support the Department's programs, services, and facilities.

The Department also seeks authorization to place commercial advertising in its Recreation Magazine. The Recreation Magazine is a specialized publication. Its exclusive purpose is to advertise the Department's programs and special interest courses and those of its contractors. Since a significant portion of the magazine is already advertising the Department's programs and those of its contractors, allowing commercial advertising will only broaden the scope of opportunities to which residents are exposed.

The Department will implement CSI using the guidelines detailed in the Sponsorship Policy and Advertising Policy. The implementation of CSI will not only allow the Department to assess how successful a department-wide sponsorship program can be, it will also help the Department identify effective strategies for attracting, implementing, and evaluating future sponsorship offers and opportunities.

One year after CSI's implementation, staff plan to evaluate the program's effectiveness and present those findings to Council.

RESOLUTION NO. 2010-

Adopted by the Sacramento City Council

April 6, 2010

**ADOPTING THE DEPARTMENT OF PARKS AND RECREATION
DONATION AND SPONSORSHIP POLICY, ADVERTISING POLICY,
AND COMMUNITY SPONSORSHIP INITIATIVE**

BACKGROUND

- A. The Department of Parks and Recreation manages specialized programs, publications, and facilities that can benefit greatly from financial or in-kind sponsorships, especially as the Department deals with the consequences of two consecutive years of budget cuts, with the possibility of more to come.
- B. The City Council has previously demonstrated its support for sponsorships that support the City's programs, services, and facilities. Most recently, Council reaffirmed its support for sponsorship initiatives in the *2030 General Plan* and the *Parks and Recreation Master Plan 2005 - 2010*, which directs the Department to explore creative ways to fund its development, maintenance, and programming of the City's parks and recreation system.
- C. With City Council approval, the Department of Parks and Recreation intends to implement a specialized facility and publication sponsorship program that will enable revenue-generating sponsorship agreements with the private sector. To that end, it has established policies and protocols to guide its efforts. These policies and protocols provide the foundation for a new initiative called the *Community Sponsorship Initiative*, which is designed to solicit sponsorships from private entities to support the Department's programs, services, and facilities.
- D. The Department of Parks and Recreation intends to test the feasibility of a Department-wide sponsorship program by implementing the *Community Sponsorship Initiative* at the Sacramento Softball Complex and other select specialized facilities, and by also permitting commercial advertising in the Department's Recreation Magazine.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL
RESOLVES AS FOLLOWS:**

- Section 1. The Donation and Sponsorship Policy for the Department of Parks and Recreation (attached as Exhibit A and made a part of this resolution) is adopted.

- Section 2. The Advertising Policy pertaining to advertising on Department of Parks and Recreation property (attached as Exhibit B and made a part of this resolution) is adopted.
- Section 3. The Director of the Department of Parks and Recreation ("Director") is authorized to implement the Community Sponsorship Initiative.
- Section 4. The City Manager, the City Manager's designee, the Director, and the Director's designee are authorized to execute any contract, subject to approval as to form by the City Attorney, pursuant to the Sponsorship Policy and/or the Advertising Policy where the value of the donation or sponsorship or the income received by the City is less than \$100,000.

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- Exhibit A – Donation and Sponsorship Policy for the Department of Parks and Recreation
- Exhibit B – Advertising Policy Pertaining to Advertising on Department of Parks and Recreation Property

Exhibit A

Donation and Sponsorship Policy for the Department of Parks and Recreation

Adopted by City Council on _____

Section 1: Background

The City of Sacramento's Department of Parks and Recreation (DPR) is a department of the City of Sacramento (City) that receives a significant portion of its funding from the City's General Fund. In recent years demands upon such funds have increased, a trend that is expected to continue.

To maintain and enhance the City's park and recreation system, DPR is actively seeking to establish alternate revenue streams that will increase its ability to deliver services to the community and/or provide enhanced levels of service beyond the core levels funded from the City's general fund. An alternate funding source being pursued is donations and sponsorships. This policy provides the framework for the DPR Donation and Sponsorship Program.

Section 2: Policy

It is the policy of DPR to actively seek donations and sponsorships for its programs, projects, events, facilities, and activities from individuals, foundations, corporations, nonprofit organizations, service clubs, and other entities. The purpose of such donations and sponsorships is to increase DPR's ability to deliver services to the community and/or provide enhanced levels of service beyond the core levels funded from the City's general fund.

The City retains sole discretion to choose those donors and sponsors with whom it will associate itself. The City retains sole discretion to choose sponsorship opportunities it deems to be family friendly. The City does not intend to permit, and will not permit, the DPR Donation and Sponsorship Program, or any sponsor recognition provided through the Donation and Sponsorship Program, to become a public forum. The City is engaged in government speech when DPR accepts or rejects a donation or sponsorship and when it provides donor or sponsor recognition.

Section 3: Definitions

For the purposes of this policy, the following definitions shall apply:

- A. "Advertisement" means any visual message that consists of words, numbers, or images and is placed on DPR advertising space for the purpose of communicating

with the public.

- B. "Commercial Advertisement" means any advertisement other than a government advertisement that is placed on DPR advertising space and has as its primary purpose the promotion or solicitation of a commercial transaction, such as the sale of real or personal property, services, or entertainment.
- C. "DPR Advertising Space" means a portion of DPR property that the City, acting as a proprietor, reserves for advertisements. DPR advertising space is not a public forum.
- D. "DPR Mission and Goals" means the mission and goals set forth in the "*City of Sacramento Parks and Recreation Master Plan 2005 – 2010, 2009 Technical Update*".
- E. "DPR Property" means DPR real or personal property, including communication media that DPR manages or controls.
- F. "Donation" means a gift of cash and/or an in-kind contribution made to support a DPR project, event, facility, or activity. A Donation generally involves a one-time gift to DPR rather than an ongoing relationship between the Donor and DPR. Furthermore, a Donor typically does not expect to receive a substantial return or recognition from DPR in return for the Donation.
- G. "Donor" means a person who provides DPR with Donation.
- H. "In-kind contribution" means a gift other than cash or real property that would serve a useful purpose in the provision of DPR services. Examples of in-kind contributions include equipment, materials, or services.
- I. "Person" means any individual, firm, association, organization, partnership, business trust, corporation or company.
- J. "Sponsor" means a person who provides DPR with cash and/or an in-kind contribution to support a DPR project, event, facility, or activity, and who expects significant recognition in return.
- K. "Sponsorship" means support of a DPR project, event, facility, or activity through the provision of cash and/or an in-kind contribution. The sponsorship is typically provided in return for DPR providing more than nominal recognition of the sponsor's support, including possibly placing advertisements on select DPR advertising space, which distinguishes a sponsorship from a donation. Sponsorships typically involve an ongoing relationship between the sponsor and DPR rather than one-time gift to DPR.
- L. "Sponsorship Agreement" means a negotiated agreement between DPR and a person whereby DPR makes a sponsorship opportunity and sponsor recognition

available in return for the payment of cash or an in-kind contribution, or a combination thereof. The sponsorship agreement will provide for sponsor recognition as is determined appropriate by DPR pursuant to Section 5 of this policy,

including possibly placing advertisements on select DPR advertising space subject to the terms of this policy and DPR's Advertising Policy. All sponsorship agreements are subject to approval as to form by the City Attorney.

Section 4: Guidelines

- A. DPR reserves the right to accept or reject any and all potential donations and sponsorships.
- B. DPR will consider donations and sponsorships from any person who can help DPR fulfill the DPR Mission and Goals, subject to the limitations set forth in this policy.
- C. DPR will review all potential donations and sponsorships to ensure that they (1) further the DPR Mission and Goals, and (2) preserve or enhance DPR's image as a department that serves all residents of Sacramento equally.
- E. Decisions to accept or reject proposed donations or sponsorships will not be made on the basis of the sex, race, color, religion, ancestry, national origin, disability, medical condition, marital status, or sexual orientation of the proposed donor or sponsor.
- F. By accepting a donation or sponsorship, or by entering into a sponsorship agreement, DPR does not limit its ability to accept any other donations or sponsorships or to enter into sponsorship agreements with similar sponsors.
- G. Donors and sponsors will not receive extra consideration with respect to any City procurement, any regulatory activities of the City, or other City business by providing a donation or sponsorship. No City employee or other City Official is authorized to offer any such extra consideration to a donor or sponsor.
- H. DPR reserves the right to terminate any sponsorship should conditions arise during the life of that sponsorship that results in the sponsorship conflicting with this policy or the sponsorship is no longer in the best interests of DPR. Final approval of decisions to terminate a sponsorship shall be made by the Director of DPR.
- I. DPR's name and logo may not be used as part of any official endorsement of a sponsor's product, service, or company.

Section 5: Sponsor Recognition

- A. DPR's recognition of a sponsor is a privilege and honor given to indicate DPR's appreciation for the sponsor's support of DPR's programs, projects, events, facilities,

and activities. Sponsorships will be acknowledged with recognition or marketing opportunities commensurate with the relative value of the sponsorship to DPR. DPR will consider requests for donor and sponsor recognition, but will not be obligated to accept any particular request. DPR will determine on a case-by-case basis what recognition or marketing opportunities are appropriate.

In all cases, a sponsor's preferred form of recognition or marketing opportunity will be weighed against DPR's and the City's policies. DPR reserves the right to determine all details of sponsor recognition, including the placement and display of the sponsor's logo on promotional materials. DPR will produce all recognition material, and a sponsor will have no design/content approval rights, other than to approve the use of its logo. The recognition and marketing opportunities will be set forth in the sponsorship agreement.

B. Recognition and marketing opportunities may include the following:

1. Recognition of sponsor in media releases;
2. Recognition of sponsor on promotional materials or printed materials;
3. Onsite promotion and recognition;
4. Booth space at special events; and,
5. Advertising in DPR advertising space.

C. DPR will not endorse any product or service of its sponsors.

Section 6: Approvals

- A. All donations and sponsorships are subject to final approval by either the Director of DPR or the City Council prior to acceptance by DPR. The Director of DPR is authorized to approve donations and sponsorships with a value of less than \$100,000. All other donations and sponsorships must be approved by the City Council.
- B. All sponsorship agreements, and all donations and sponsorships with a value of more than \$500, must be memorialized in a written agreement between the City and the donor or sponsor. The Director of DPR is authorized to execute any written agreement for a donation or sponsorship where the value of the donation or sponsorship is less than \$100,000. No written donation or sponsorship agreements will be valid unless approved as to form by the City Attorney.

Exhibit B

Advertising Policy Pertaining to Advertising on Department of Parks and Recreation Property

Adopted by City Council on _____

Section 1: Background

The City of Sacramento desires to create an additional source of revenues to fund facilities, programs, and services of the Department of Parks and Recreation ("DPR"). This Advertising Policy sets forth the requirements for use of advertising space on DPR real or personal property, including but not limited to communication media that DPR manages or controls ("DPR Property"). Additional requirements (e.g., materials, locations, size, duration, and, for commercial advertising, compensation to the City) will be set forth in written authorizations or written agreements covering the advertisements, as explained below.

Section 2: Definitions

- F. "Advertisement" means any visual message that consists of words, numbers, or images and is placed on DPR Advertising Space for the purpose of communicating with the public.
- G. "Commercial Advertisement" means an Advertisement that is placed by a third party on DPR Advertising Space and has as its primary purpose the promotion or solicitation of a commercial transaction, such as the sale of real or personal property, services, or entertainment.
- H. "DPR Advertising Space" means a portion of DPR Property that the City, acting as a proprietor, reserves for Advertisements. DPR Advertising Space is not a public forum.
- I. "Governmental Advertisement" means an Advertisement that is (1) related to City services, programs, or events; (2) related to events co-sponsored by the City; or (3) placed by a governmental entity other than the City and determined to be in the City's best interests.

Section 3: Public Purpose

The City's primary purpose in adopting this Advertising Policy is to generate revenue by making DPR Advertising Space available for Commercial Advertising while providing a

safe, convenient, and pleasant environment for City residents and avoiding any potential City endorsement of the content or viewpoint of advertisements. A secondary purpose is to make DPR Advertising Space available for Governmental Advertising.

Section 4: Not a Public Forum

In adopting this Advertising Policy, the City is acting as a proprietor, not as a regulator. The City does not intend to permit, and will not permit, any Advertisement that individually or in combination with other Advertisements would cause any DPR Advertising Space to become a public forum.

Section 5: Authorized Advertisements

As of the date the City adopts this Advertising Policy, no Advertisement may be placed on DPR Advertising Space unless all of the following are satisfied:

A. The Advertisement is either a Government Advertisement or a Commercial Advertisement.

(1) Commercial Advertisements may not be placed on DPR Advertising Space until the third party and the City enter into a written agreement that is consistent with this Advertising Policy and approved by the City Attorney (a copy of this Advertising Policy must be included as an exhibit to the agreement).

(2) Government Advertisements, other than those related to City services, programs, or events, may not be placed on DPR Advertising Space until the City has authorized the placement in writing.

B. The Advertisement is not prohibited under Section 7 of this Advertising Policy.

Section 6: Pre-existing Authorized Advertisements

Pre-existing agreements for Advertisements on DPR Advertising Space may not be extended or renewed unless amended to comply with this Advertising Policy.

Section 7: Viewpoint Neutral Limitations

No Advertisement is permitted on DPR Advertising Space if it or information contained in it falls within one or more of the following categories:

A. *False, misleading, or deceptive commercial speech.* The Advertisement proposes a commercial transaction and is false, misleading, or deceptive.

B. *Unlawful goods or services.* The Advertisement promotes or encourages, or reasonably appears to promote or encourage, the use or possession of unlawful or illegal goods or services.

- C. *Unlawful conduct.* The Advertisement promotes, depicts, or encourages, or reasonably appears to promote, depict, or encourage, unlawful or illegal behavior or activities.
- D. *Endorsement.* The Advertisement implies or declares the City's endorsement of any service, product, or point of view without the City's prior written authorization (through its City Manager).
- E. *Obscenity.* The Advertisement contains obscene matter or any other matter that is prohibited under chapter 7.5 (beginning with section 311) of title 9 of part 1 in the California Penal Code, as it may be amended or supplemented.
- F. *Prurient Interests.* The Advertisement contains harmful matter or any other matter that is prohibited under chapter 7.6 (beginning with section 313) of title 9 of part 1 of the California Penal Code, as it may be amended or supplemented.
- G. *Profanity, Vulgarity, Riot.* The Advertisement is profane or vulgar, or presents a clear-and-present danger of causing a riot, disorder, or other imminent threat to public safety, peace, or order.
- H. *Community Standards.* The Advertisement is so objectionable under contemporary community standards that it is reasonably foreseeable that it will harm, disrupt, or interfere with the City's services, programs, or events.
- I. *Libelous Speech; Copyright Infringement.* The Advertisement holds up an individual or group to public ridicule, derision, or embarrassment; or is libelous; or is an infringement of a copyright, trademark, or registered mark. Advertisers and advertising agencies shall assume all responsibility for any unauthorized use of names, photographs, devices, and words protected by copyright, trademark, or registered trademark.
- J. *Tobacco and Marijuana.* The Advertisement promotes or depicts the sale or use of tobacco or marijuana, or tobacco-related or marijuana-related products, except products that counteract symptoms of tobacco habituation.
- K. *Alcohol.* The Advertisement promotes or depicts the sale or consumption of wine, liquor, beer, or distilled spirits.
- L. *Firearms.* The Advertisement directly or indirectly promotes the sale or use of a firearm or contains an image of a firearm.
- M. *Political Campaign Speech.* The Advertisement contains political campaign speech. "Political campaign speech" means speech that (1) supports or opposes or appears to support or oppose a ballot measure, initiative, or referendum; or (2) refers to any candidate for public office.

- N. *Religion and Philosophy.* The Advertisement advocates or opposes a religion or religious belief or a philosophy or philosophical belief.
- O. *Traffic Interference.* The Advertisement displays any word, phrase, symbol, or character reasonably likely to interfere with, mislead, or distract traffic, or to conflict with any traffic-control device.
- P. *Distraction.* The Advertisement incorporates any moving or animated parts, including but not limited to rotating, revolving, or flashing devices.
- Q. *Violence.* The Advertisement contains an image or description of graphic violence or the results of graphic violence, including but not limited to (1) the depiction of human or animal bodies or body parts, or fetuses, in states of mutilation, dismemberment, decomposition, or disfigurement; and (2) the depiction of weapons or other implements or devices associated in the advertisement with an act or acts of violence or harm on a person or animal.
- R. *Adult-oriented goods or services.* The Advertisement promotes or encourages, or appears to promote or encourage, a transaction that is related to, or uses brand names, trademarks, slogans, or other materials that are identifiable with, any of the following: films rated "X" or "NC-17" by the Motion Picture Association of America; video games rated "A" or "M" by the Entertainment Software Rating Board; adult book stores or adult video stores; nude or topless clubs and other adult-entertainment establishments; adult telephone services or adult Internet sites; or escort services.
- S. *Competitors.* The Advertisement advertises any good, service, or entertainment that competes with goods, services, or entertainment offered by the City (e.g., golf courses).
- T. *Websites and Telephone Numbers.* The Advertisement directs viewers to a website or telephone number that provides access to material that violates this Advertising Policy. In addition, the website address or phone number itself may not violate this Advertising Policy.
- U. *Public Forum.* The Advertisement, if posted individually or in combination with other Advertisements, would cause the DPR Advertising Space to become a public forum.
- V. *Disclaimer or Attribution.* The Advertisement fails to contain any disclaimer or attribution required under Section 8 or Section 9 of this Advertising Policy.

Section 8: Disclaimer

The City reserves the right, in all circumstances, to require that an Advertisement on DPR Advertising Space include a disclaimer stating that the Advertisement is not sponsored by, and does not necessarily reflect the views of, the City.

Section 9: Attribution

All Advertisements on DPR Advertising Space must clearly and unambiguously identify the person or entity that has sponsored or paid for the Advertisement or has caused the Advertisement to be placed on the DPR Advertising Space. Website addresses or phone numbers by themselves are insufficient to satisfy this section.

Section 10: Amendment and Interpretation

The City reserves the right to amend this Advertising Policy unilaterally at any time. The City has the sole and final authority to interpret and apply this Advertising Policy.

Section 11: Moratorium

At the discretion of the City Manager, and subject to any contractual obligations, the City may declare a complete ban or moratorium on all Advertisements on DPR Advertising Space and direct that no Advertisements of any kind, other than City Advertisements, may be accepted for display and posting.

Section 12: Disputes

Any dispute with respect to compliance with this Advertising Policy may be appealed to the City Manager, who shall act on the appeal within 30 days. The City Manager may refuse to permit, or may order the removal of, any Advertisement that does not comply with this Advertising Policy. The City Manager's decision will be final.