



CITY OF LONG BEACH

R-18

OFFICE OF THE CITY MANAGER

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PATRICK H. WEST
CITY MANAGER

October 21, 2008

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Authorize the City Manager to Execute a Five-Year Sponsorship Agreement with Charter Communications, with a total maximum fee payment to the City of \$929,099. (Citywide)

DISCUSSION

Approval is recommended to authorize a five-year sponsorship agreement with Charter Communications (Charter), with a total maximum fee payment to the City of \$929,099.

In 1996, the City adopted a Policy on City Sponsorships, Corporate Recognition and Advertising (attached as Exhibit A), to permit partnering with firms for the purpose of joint promotion and revenue development. As part of the Structural Deficit Reduction Strategy, the Council requested the City Manager in 2003 to explore additional revenue opportunities, including a sponsorship and marketing program, to create an additional no tax, no fee revenue stream. The Financial Strategic Plan includes a \$3 million target for new revenue from sponsorship.

The City has previously entered into sponsorship and marketing agreements, including in 2001, a multi-year beverage contract with BCI Coca Cola Bottling Company of Los Angeles, and in 2008, a three-year agreement with EcoMedia, LLC.

The Agreement with Charter would include certain rights and benefits, such as the right to use the "Official City of Long Beach Partner" logo, a limited number of street banners, a hyperlink on the City's website, various corporate recognition opportunities and participation in City sponsored special events. A full listing of the proposed rights and benefits is attached as Exhibit B. All sponsorship rights, including placement, design and content, are subject to approval by the City, at the City's sole discretion.

This matter was reviewed by Assistant City Attorney Heather A. Mahood on October 9, 2008 and Budget Management Officer Victoria Bell on October 10, 2008.

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TIMING CONSIDERATIONS

City Council action is requested on October 21, 2008 to proceed with program implementation.

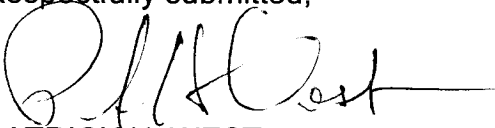
FISCAL IMPACT

There is no cost to the City for this agreement that will generate up to \$929,099 in total revenue over a five-year period. The revenue for this and other sponsorship activities totaling \$1 million annually is already included in the FY 09 budget of the General Fund (GP) in the Department of Community Development (CD), Economic Development Bureau. The source of funding is corporate sponsorships.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



PATRICK H. WEST
CITY MANAGER

LAF/RMS:dm

ATTACHMENTS: EXHIBIT A – COUNCIL POLICY ON SPONSORSHIP
EXHIBIT B – RIGHTS AND BENEFITS

POLICY ON CITY SPONSORSHIP, CORPORATE RECOGNITION AND ADVERTISING
POLICY:

The City shall actively seek donations and/or sponsorship for City events, programs and facilities as well as provide for advertising on certain City property and vehicles. These activities shall be undertaken to the fullest extent possible, under the following procedures, to support City operations.

The City shall seek donations and/or sponsorships for events that are consistent with the audience for the event and allow that the sponsor be recognized for their contributions in a suitable manner.

The City shall seek donations and/or sponsorships for ongoing City activities and properties that are compatible with these operations. The City retains the right to not offer particular activities, properties or events for sponsorship that would be incompatible with these operations.

The City shall provide for advertisements to be placed on certain City properties and vehicles that are compatible with these operations. The City retains the right to not offer particular properties or vehicles for advertising that would be incompatible with these operations.

This policy will be implemented within appropriate laws and restrictions placed on certain properties, activities or vehicles by other agencies through grant funding, etc. This policy shall be implemented by specific guidelines as subsequently adopted by the City Council for specified events, programs and facilities. This policy shall also be implemented within all appropriate provisions of the Long Beach Municipal Code and all existing City contracts for special events.

DEFINITIONS:

CITY PROGRAMS - Those activities and events financed primarily with general or other City funds or grant monies received by the City, and planned, organized and conducted by the City.

SPONSOR - An agency, group or individual providing either funds to offset the cost and/or services or materials in support of a City program. Sponsorship does not authorize the agency, group or individual to plan, organize or conduct the City program, but shall allow recognition advertising at a level to be recommended by the Sponsorship Committee and approved by the City Manager's designee and/or City Council.

SUPPORTED PROGRAMS - Those activities and events which the City jointly conducts with another agency, group or individual in order to serve the community for a public purpose, including but not limited to events and activities that the City would directly finance or operate if there were adequate resources available to do so.

DONOR - An agency, group or individual giving money, materials or services for which the City may provide recognition. Such recognition shall be solely determined, controlled and prescribed by the City.

PAID ADVERTISING - Temporary exposure (signs, paid ad, print ad, radio spots, etc) arranged for an agency, group or individual who provides money in exchange for a specified or negotiated type and/or extent of advertising.

RECOGNITION ADVERTISING - Temporary exposure (banners, program recognition, etc.) arranged in acknowledgment of an agency, group or individual who has provided funds, materials, products and/or services in exchange for a specified or negotiated type and/or extent of advertising, relating to a specific activity, event or facility.

PRODUCT SAMPLING AND/OR GIVEAWAY - A product/gift is provided for a specific activity, event or facility in return for the opportunity to conduct product sampling for a designated time period. The type of product sampled or given away would be regulated by the applicable City Council guideline and implemented by the City Manager and/or the Citywide Sponsorship/Advertising Review Committee.

CITYWIDE SPONSORSHIP/ADVERTISING REVIEW COMMITTEE

The City Manager shall appoint a Citywide Sponsorship/Advertising Review Committee (the "Review Committee") consisting of representatives from departments. From these representatives, the City Manager shall select a Review Committee chair. The Review Committee shall be responsible for reviewing and recommending action to the City Manager for each request to approve sponsorship of activities or approval for advertising. Representatives of affected departments shall be invited to participate in the review of proposals involving their operations.

This committee shall establish and maintain an inventory of programs, products, facilities and services that may be eligible for private sponsorship and facilities, materials and vehicles eligible for advertising. This inventory should include existing

sponsors or advertisers (if any), time frame necessary for sponsor commitment/advertising and the current cost to the City. The inventory should be presented in priority order. Once the appropriate properties, facilities or events have been identified, ~~specific and detailed guidelines, for approval by the City Council,~~ will be developed for each type of property, facility and event minimizing the risk of litigation or liability. Activities of existing non-profits which support City departments should be included in the inventory, however it would be the non-profit's option to be a part of this program. The committee shall also review unsolicited proposals received by the City.

The committee will be responsible for recommending to the City Manager private firms that would be retained for identifying those programs, products, facilities and services most eligible for sponsorship as well as to market properties, vehicles or activities for advertising. Assistance to the City would be provided on how to properly recognize the sponsor for the contribution. The committee will report its progress annually to the City Manager or at other intervals as requested.

A sponsorship or benefitting advertising proposal must be completed on a form supplied by the committee or in the form of a proposal to the committee and submitted to the committee prior to verbal or written commitments regarding the program or project.

The proposal must include the following information:

1. Detailed discussion of program or project
2. Name, address and telephone number of agency, group or individual, including contact person
3. Item, project or service being provided
4. Monetary value of the program or service being provided
5. Recognition requested
6. Name of Department contact
7. Cost to the City, if any, to administer the program

Sponsorship or advertising valued at \$5,000.00 or less may be accepted by a department without committee review, upon approval of the Review Committee chair, as long as the sponsorship/advertising meets the criteria of this policy, specific guidelines and is accepted by the City Council. The committee shall meet on a regular basis to review all proposals valued in excess of \$5,000.00, to develop new guidelines for City Council review, and to ensure that proposals meet the City's existing guidelines.

The committee shall forward recommended sponsorship, supported program, and advertising proposals to the City Manager for approval consistent with the specific guidelines.

The committee shall forward approved proposals in excess of \$50,000 to the City Attorney for review and the City Council for final approval as appropriate in accordance with the City Manager's agenda process.

The City Manager may delegate his responsibilities in this regulation.

SPONSORS OF CITY PROGRAMS

All proposed sponsors must receive prior approval from the Sponsorship Committee, City Manager, and as appropriate, the City Council. Depending on the complexity or dollar value involved in a sponsorship, the City Manager may execute a memorandum of understanding between the sponsor and the City or initiate a formal contract requiring City Council approval. Unless expressly provided otherwise by the City Council, either agreement would contain these items:

1. The purpose of the agency, group or individual desiring to sponsor a City program must demonstrate the purpose is consistent with the City's mission to enhance service to our citizens, and the specific program or event to be sponsored must further a goal of the City.
2. Sponsors may provide funds or pay for facilities, equipment, supplies, staff services, security services, consultation, public relations services, and/or materials.
3. Specific City approval for sponsorship of a City program from a representative of the alcohol or tobacco industry.
4. The sponsor shall not directly seek to make a profit from the sponsorship. However, building community interest on a subject or gaining professional exposure is acceptable.
5. The cost of recognizing a sponsor shall not exceed the fair market value of the sponsorship.
6. The City must be appropriately represented and/or acknowledged in any publicity and public announcements for an event. All publicity such as media releases, posters, flyers, etc. must be approved by the City Manager.

7. A sponsor shall, at its sole cost comply with all laws, ordinances, rules, and regulations of and obtain and maintain such permits, licenses, and certificates required by federal, state and local governmental authorities having jurisdiction over the facility where the activity or event is held. Sponsor shall have and be allocated the sole responsibility to comply with the Americans with Disabilities Act (ADA) and Title 6 (CCR) with respect to the facility where the activity or event is held. Sponsor shall defend, indemnify and hold the City harmless from any and all claims of any failure to comply or violation of the ADA or Title 6. Sponsor shall provide evidence of, and maintain, sufficient insurance.
8. The one-time project or program shall in no way obligate the City to continue the arrangement in the future.

CITY SUPPORT OF OTHERS' PROGRAMS

City support of another agency, group or individual's programs or projects must receive approval from the Sponsorship Committee, City Manager, and as appropriate the City Council. Depending on the complexity or dollar value involved in a sponsorship, the City Manager may execute a memorandum of understanding between the sponsor and the City or initiate a formal contract requiring City Council approval. Unless expressly provided otherwise by the City Council, either agreement would contain these items:

1. The purpose of the agency, group or individual desiring support from the City must be consistent with the City's mission to enhance service to our citizens and the specific program or event to be supported must further a goal of the City or serve a public purpose.
2. Mutually shared resources may include facilities, equipment, supplies, staff services, security services, consultation, public relations services, and materials.
3. Neither party shall seek to directly make a profit from the activity or event being supported by the City. However, building community interest on a subject or gaining professional exposure is acceptable.
4. The City must be appropriately represented and acknowledged in any publicity and public announcements for an event or activity. All publicity such as media releases, posters, flyers, etc. must be approved by the City Manager.

5. The supporting agency, group or individual shall, at its sole cost comply with all laws, ordinances, rules, and regulations of and obtain and maintain such permits, licenses, and certificates required by federal, state and local governmental authorities having jurisdiction over the facility where the activity or event is held. The entity shall have and be allocated the sole responsibility to comply with the Americans with Disabilities Act (ADA) and Title 6 (CCR) with respect to the facility where the activity or event is held. The entity shall defend, indemnify and hold Lessor harmless from any and all claims of any failure to comply or violation of the ADA or Title 6. The entity shall provide evidence of, and maintain, adequate insurance.
6. Any request from an agency, group or individual for the waiver of City fees or costs must be approved by the City Council unless approved in the City's budget process.
7. The one-time project or program shall in no way obligate the City to continue the arrangement in the future.

NAMING OF CITY-OWNED LAND, BUILDINGS AND FACILITIES

The City Council retains the sole authority to name City-owned land, buildings and facilities. Naming facilities may be done in a manner which: 1) incorporates the name of LONG BEACH as appropriate; 2) recognizes the geographic, topographic or historical significance associated with the City; 3) recognizes individuals, families or companies that have donated the land or funds for a project; 4) recognizes persons who have served the nation, the State of California and/or the City of Long Beach in an exceptional and distinguished manner. City-owned land, buildings and facilities named in honor of deceased persons shall generally not take place until one year after their deaths, unless the City Council determines that there are overriding considerations for deviating from this policy guideline.

A request for naming or renaming City-owned land, buildings and facilities may be presented to the City Council by the one of its members, the City Manager or a member of the public. This request will then be referred to the City Council's Legislation, Personnel and Civil Service Committee for review. At the same time, the City Council will refer such requests to appropriate staff and/or appropriate City Commissions, Committees or Boards for any input that would assist the Legislation, Personnel and Civil Service Committee in its deliberations. Staff and/or concerned advisory bodies will have thirty days to submit comments to the Committee.



City of Long Beach City Partner Proposal

Presented to:
Charter Communications

December 19, 2007



City of Long Beach
"City Partner" Rights & Benefits
Presented to Charter Communications
December 19, 2007

City Partner Overview

- Charter Communications will become one of a limited amount of companies forming the exclusive group of City Partners of the City of Long Beach. Long Beach is the 5th largest city in California with a population of over 500,000, centrally located between Los Angeles and Orange County, home to the Queen Mary and the Aquarium of the Pacific, and close to all major Southern California attractions. Long Beach is not only a premier tourism destination with its downtown waterfront, but is also one of the country's most culturally diverse cities with a melting pot of over 39 spoken languages. The landscape of Long Beach also contributes to its overall diversity. Housing over 100 parks, 7 miles of beaches, and 5 golf courses the City of Long Beach focuses much effort on becoming one of the greenest cities.
- The City of Long Beach is committed to creating valuable opportunities to help Charter Communications build on its education and community involvement activities.
- Charter Communications will be assigned one advisor position on the City of Long Beach **Mayor's City Partner Advisory Board**. Members of the Board will include designees of the Official City Partners as well as a select number of corporate and civic leaders. The Board will meet semi-annually with the Mayor, City Manager and Economic Development Bureau to advise on City marketing strategy.

Intellectual Property Rights

- Subject to the terms of this Agreement, Charter Communications will become an Official City Partner of the City of Long Beach with respect to the following category:
 - Telecommunications
- Charter Communications will have the right within the above sponsorship category to exclusively utilize the official marks and composite logo for the City of Long Beach and the Official City Partner program, and may utilize the official marks and logos to designate themselves as an Official Partner of the City of Long Beach accordingly:
 - *Official City Partner*
 - *Official Telecommunications Partner to the City of Long Beach*
 - *Official Partner of the Long Beach Parks, Recreation and Marine Department*



Advertising

City Signage

- **Street Banners**
 - Charter Communications will receive corporate identification on street banners promoting their city initiatives (e.g. Digital Cable, various packages, HDTV, Charter Business or other City of Long Beach initiatives). Corporate identification on the street banners will be rotated equally amongst the Official City Partners as part of an annual City beautification program. Each City Partner will have a choice of fifty (50), one-hundred (100) or two-hundred (200) street banners per year located throughout all of the nine (9) City Districts.
- **Beautification Program**
 - Charter Communications will receive company and product image integration into the advertising/beautification program on one (1) City building side, property or highway location to be mutually agreed upon between Charter Communications and the City of Long Beach.
 - The style and application of the Charter Communications advertising/beautification program TBD.

City Media

- **Television**
 - Charter Communications will receive advertising on Long Beach Television 8 (LBTv8), which is the City's government access cable TV channel. LBTv8 is a public service to the residents of Long Beach and the wider Internet community, providing streaming video of LBTv8 – free of charge 24 hours a day, 7 days a week. Placement on LBTv8 is to be reviewed by City Attorney to ensure compliance with all applicable state and federal statutes and policies.
 - Educational Programming
 - Charter Communications will have the ability to provide educational content that will be rotated into existing programming and be provided a minimum of fifty-two (52) weekly shows annually (details of the shows to be mutually agreed upon).
 - Community Programming Sponsorship
 - Charter Communications will receive "Presenting Sponsorship" of a minimum of two (2) quarterly programming elements annually. e.g. Closed Captioning made possible by Charter Communications.
 - Infomercials
 - Charter Communications will receive a minimum of two hundred-fifty (250) 3:00- 5:00 minute infomercials annually.
*Note: A portion of each infomercial needs to communicate partnership with City of Long Beach.
- **Print Media**
 - Charter Communications will receive advertising in numerous City of Long Beach publications, including:
 - Ex. Parks, Recreation, and Marine Department Program Guide.
 - Full page ad
 - Published quarterly
 - Distributed to approximately 190,000 households
 - Ad placement, sizing and color application based on publication guidelines

- **Internet**

- The City of Long Beach official website www.ci.long-beach.ca.us averages over 171,000 unique visitors monthly with average user sessions exceeding seven (7) minutes. With approximately 1.9 million hits per month the City's website has become a destination for interested local residents and tourists
 - The City of Long Beach will create a location on the website for Video On Demand (VOD) opportunities that will provide the option to view educational seminars (i.e. the programs Charter shows on "Cable in the Classrooms", how parents can protect their children while they are on the internet, etc.) at their leisure.
 - Charter Communications will receive a combination of fixed and rotating banner advertising placements on the City of Long Beach official website.
 - Charter Communications will receive active links to its homepage.
 - Charter Communications will receive news and editorial placement featuring Charter Communications community programming with the City of Long Beach.

City Partner Recognition Program

Charter Communications will be branded with additional elite corporate partners as an Official City Partner: a group recognition and limited, exclusive, and unique opportunity for forward thinking companies to develop a working partnership with the City of Long Beach. The recognition platform includes City landmarks, television, print, and internet media, as well as collateral materials and City signage as listed below.

- **Landmarks**

- City Partners will receive corporate identification on a minimum of ten (10) iconic landmarks throughout the City in highly trafficked areas such as freeway entrances, exits, and high traffic destinations such as beaches, parks, libraries, and community meeting points.

- **Television**

- City Partners will receive corporate identification and on-air mentions outlining the City Partner program and recognizing each City Partner. City Partners will be included in a minimum of one-thousand (1,000):30 and/or:60-second television features annually on LBTV 8. (Details of media schedule to be mutually agreed upon.)

- **Print Media**

- Long Beach Press Telegram Recognition
 - City Partners will receive recognition annually in the Long Beach Press-Telegram special spotlight advertisement celebrating the City of Long Beach and its partners.
- Parks, Recreation, and Marine Program Guide
 - City Partners will receive recognition in each Program Guide. Minimum distribution is approximately 190,000 four (4) times annually.
- The Wave
 - City Partners will receive recognition in selected newsletters. Publication is distributed monthly with Long Beach City residential Utility Bills. Minimum distribution is approximately 179,000.

- Economic Development Advertisement
 - City Partners will receive recognition in various publications advertising promoting the City of Long Beach in regional and national publications.
- Department of Transportation Informational Materials
 - City Partners will receive recognition on various DOT materials such as maps, schedules, routes and other information. (Note: Pending DOT approval)
- **Internet**
 - City Partners will receive corporate recognition and company link on City of Long Beach website -- www.ci.long-beach.ca.us
- **Collateral Materials**
 - City Partners will receive corporate identification and/or acknowledgement in appropriate City produced collateral material distributed for Long Beach promotional purposes, including but not limited to:
 - Department of Economic Development
 - Department of Parks, Recreation and Marine
 - Convention and Visitors Bureau
 - City sponsored events
- **City Signage**
 - City Partners will receive corporate identification as part of the recognition program located on one City Hall building side. (Note: Subject to final City approval)
 - City Partners will receive corporate recognition inside a minimum of ten (10) highly trafficked City offices, which could include but are not limited to the following:
 - Public Safety Building
 - City Hall
 - Economic Development Bureau
 - Community Development Police Centers
 - Community Development Neighborhood Resource Centers
 - California Recreation Center
 - Parks, Recreation, and Marine Administration Building
 - City Partners will receive corporate recognition at a minimum of ten (10) annual City sponsored programs, such as press conferences and other media events.

Partner Promotional Platform

City of Long Beach City Employee Access

To increase customer base, brand awareness, and in order show their community commitment, Charter Communications will receive access to City of Long Beach database of employees. Special seminars and promotions will be made available to City employees and their families. Database of City employees would include, but are not limited to the following:

- City email address
- Flyers
- Intranet advertising/promotions
- Paycheck inserts

Charter Communications Green Days

In an effort to combine the goals of the City of Long Beach and Charter Communications to be environmentally friendly, Charter Communications can choose to be the Title Sponsor three (3) of the below environmental friendly activities:

- Beach and park clean ups
- Earth Day events
- Tree planting events
- Adopt-a-park and adopt-a-beach program
- Environmental education and awareness programs

Hospitality, Tickets, & Entertainment

Charter Communications will receive a reasonable allocation of VIP access and / or tickets to City owned or sponsored events as requested, including but not limited to the following:

- Long Beach Grand Prix
- AVP Tour
- Long Beach Aquarium
- Performing Arts Center, Long Beach Arena, and Long Beach Convention Center events
- Bob Marley Reggae festival
- Long Beach Jazz Festival
- Long Beach Armada games/Golden League events

Investment

- Term: Five (5) years commencing January 1, 2009
 - Cash Investment (net):
 - 2009: \$175,000
 - 2010: \$180,250*
 - 2011: \$185,658
 - 2012: \$191,227
 - 2013: \$196,964
- Above annual increases are based upon a 3% escalator
- The City of Long Beach and Charter Communications will mutually agree upon an annual cash payment schedule.

Creation and Subsequent Replacement of Signage

- Charter Communications will be responsible for the cost of creation and installation dedicated Charter Communications signage (i.e.- non Sponsor recognition signage as necessary) affiliated with the City of Long Beach as part of the City Partner recognition program, as indicated above.
- If Charter Communications requests design or signage modification, costs for replacement of any signage after initial installation is finalized will also be the responsibility of Charter Communications.
- The City of Long Beach agrees to provide or pay for as necessary regular service and maintenance to all signage. All Charter Communications signs will be maintained to have a clean appearance.
- City of Long Beach will make reasonable efforts to protect the sponsor's signage rights for all events. However sponsor understands that the City may host other events, and reserves the right to cover or otherwise de-emphasize its signage at its cost for selected events.