

City of Vancouver Naming Rights Policy, Civic Community Facilities

1. Preamble

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

Commemorative Naming refers to the naming of a property in honour of outstanding achievement, distinctive service, or significant community contribution.

This policy is intended to cover Naming Rights for Civic Community Facilities. A companion policy, Commemorative Naming Policy, Civic Community Facilities covers requests to name Civic Community Facilities as an honour and generally without financial consideration.

Section 1.01

2. Purpose

- 2.1. The purpose of this Policy is to provide clear guidance regarding Naming Rights for Civic Community Facilities. The goal is to provide a consistent evaluation framework and approval process when considering Naming Proposals for Civic Community Facilities.
- 2.2. This Policy is intended to balance public and private interests by encouraging philanthropic giving while acknowledging public investment in, and ownership of Civic Community Facilities as well as the public realm; and to encourage continued investment in these facilities for the benefit of the citizens of Vancouver for generations to come.

3. Scope

For other policies related to Naming, see Section 4.

3.1. This Policy applies to all Civic Community Facilities (see Definitions in Section 5), including Interior and Exterior Building Components, including those facilities operated directly by the City, and those operated by Non-profit Tenants.

3.2. This Policy does not apply to:

- a) City-owned facilities leased to commercial tenants;
- b) City core services facilities (eg. City Hall, firehalls, police stations);
- c) Non-City facilities (eg. BC Place, Scotiabank Dance Centre);
- d) Non-City facilities which occupy City lands, and where the building is wholly and currently owned by the non-profit tenant (eg. YWCA Crabtree Corner, Chinese Cultural Centre);
- e) Naming of Vancouver Public Library facilities (See Section 4);
- f) Naming of streets (See Section 4);
- g) Naming of parks (See Section 4); and
- i) Naming of programs, events, or other kinds of sponsorships.

4. Other Related Naming Policies

Related Civic Naming policies include:

- a) City of Vancouver: Commemorative Naming Policy;
- b) Vancouver Public Library: Sponsorship Policy and Donor Recognition Guidelines;
- c) City of Vancouver: Street Naming Guidelines; and
- d) Vancouver Park Board: Guidelines for Naming Parks.

5. Definitions

5.1. **Applicant:** either a civic department, in the case of City-operated facilities, or a Non-profit Tenant, which makes a formal Proposal to the City to name all or portions of a Civic Community Facility.

5.2. **Approval Agreement:** an agreement between the City and a Non-profit Tenant outlining the terms and conditions of approval in granting Naming Rights.

- 5.3. **Civic Community Facility:** any property, complex, structure, building or portion thereof owned or controlled (e.g. through longterm lease) by the City of Vancouver but excluding properties identified in Section 3.2.
- 5.4. **Commemorative Naming:** Naming Rights granted to honour outstanding achievement, distinctive service, or significant community contribution. Commemorative Naming will not be tied to a financial contribution.
- 5.5. **Community Sport Facilities:** any Civic Community Facility used primarily for sporting activities, programs or services, but excluding those in the care and custody of the Park Board.
- 5.6. **Corporate Naming:** Naming Rights granted to a corporation or a corporate foundation, negotiated for a specific fee.
- 5.7. **Cultural Facility:** any Civic Community Facility used primarily for the purpose of arts and cultural activities, programs or services but excluding those in the care and custody of the Park Board and/or operated by the Vancouver Public Library.
- 5.8. **Designated City Staff:** for the purpose of administering this Policy, the City Manager will designate a staff person in the relevant City department.
- 5.9. **Exterior Facility Components:** all ancillary structures, and all exterior components of a Civic Community Facility which are visually accessible from the public realm, including, but not limited to, plazas, courtyards, squares, gardens, lawns, playing fields, playgrounds.
- 5.10. **Individual and Community Organization Naming:** Naming Rights granted to an individual, group of individuals, family foundation, or a non-profit community organization in recognition of significant philanthropy.
- 5.11. **Interior Facility Components:** all substantial interior components of a Civic Community Facility, including, but not limited to, wings, halls, auditoriums, galleries, lounges, lobbies, and program rooms, etc.

- 5.12. **Logo:** a combination of characters and/or graphics used to identify a company or organization, including a symbol, wordmark, or trademark.
- 5.13. **Market Valuation:** a current assessment of the potential value within the marketplace of the Naming Rights for a specific property.
- 5.14. **Naming Rights Agreement:** a legal contract outlining the terms of the agreement between the Applicant and Naming Entity.
- 5.15. **Naming Entity:** The entity (eg. corporation, community organization or individual) to whom Naming Rights are granted pursuant to a Naming Rights Agreement.
- 5.16. **Naming Rights:** the right to name or rename a piece of property, or parts of a property granted in exchange for financial considerations.
- 5.17. **Non-profit Tenant:** a Non-profit organization occupying a Civic Community Facility through an Occupation Agreement.
- 5.18. **Occupation Agreement:** the lease, sublease, licence, sublicense, management and/or operating agreement which grants a Non-profit Tenant the right to use and occupy a Civic Community Facility or a portion thereof.
- 5.19. **Park Board Facility:** Any Civic Community Facility under the care and custody of the Park Board, including but not limited to community centres, pools, rinks, gardens, conservatories, and tenanted properties.
- 5.20. **Proposal:** the proposal by an Applicant to the City with respect to Naming Rights.
- 5.21. **Public Realm:** Publicly owned streets, sidewalks, rights-of-ways, parks and other publicly accessible or visually accessible open spaces.
- 5.22. **Renaming:** a change of name of a piece of property which already has a name whether geographic, commemorative or historic.

- 5.23. **Request for Reconsideration:** an appeal process available to Applicants where a Council designate has made a decision that they wish to appeal to City Council. A Request for Reconsideration will only be considered where the Applicant can demonstrate that the criteria and/or documentation were not properly evaluated at the time of the initial review.
- 5.24. **Social Services and Childcare Facility:** any Civic Community Facility used primarily for the purpose of social, community, and childcare programs or services but excluding those in the care and custody of the Park Board.

6. General Principles

- 6.1. The granting of Naming Rights is intended to support and promote investment in Civic Community Facilities that provide important services to citizens.
- 6.2. Naming Rights may be granted under the terms and conditions outlined in this Policy as recognition for financial contributions from Naming Entities, where these contributions result in significant and direct benefits to the community.
- 6.3. A Naming Rights Agreement may not compromise the City's or a Non-profit Tenant's ability to carry out its functions fully and impartially.
- 6.4. Neither the City nor its Non-profit Tenant may relinquish any aspect of its right to manage and control a Civic Community Facility through a Naming Rights Agreement.
- 6.5. The granting of Naming Rights will not entitle a Naming Entity to preferential treatment by the City outside of the Naming Rights Agreement.
- 6.6. The approval of Naming Rights is not intended to replace other grant or support programs to Non-profit Tenants.
- 6.7. A Naming Rights Agreement must not conflict with the terms and conditions of any existing Occupation Agreement between the City and a Non-profit Tenant, and/or between the City and a head-landlord.

- 6.8. Established names of facilities contribute significantly to historic continuity, community identity and pride.
- 6.9. Naming Rights recognition will be compatible with the physical attributes of a location.
- 6.10. Naming Rights opportunities are intended to benefit the Applicant in the provision of significant and direct benefits to the community.
- 6.11. The approval of Naming Rights will not result in additional costs for the City, excluding the City's approval process.
- 6.12. The authority to grant Naming Rights rests with Council or its designate.
- 6.13. The City will not pursue Naming Rights with respect to a Civic Community Facility fully occupied by a Non-profit Tenant.
- 6.14. In multi-tenanted buildings, Proposals for Naming Civic Community Facilities, Exterior Facility Components or common areas will only be considered if all the Tenants support the Proposal and their support is documented to the City's satisfaction.

7. Guidelines

- 7.1. The granting of Naming Rights will be considered for the following categories of Civic Community Facilities, noting approval will be subject to the application process outlined in section 7:

a) Community Sport Facilities	Corporate	Individual
i. New	Yes	Yes
ii. Renaming	-----	Yes

iii.	Interior Facility Components	Yes	Yes
iv.	Exterior Facility Components	Yes	Yes

** Staff will review and report back on corporate renaming of community sport facilities at Hastings Park in the context of the future Hastings Park/PNE Master Plan.

b) Cultural Facilities		Corporate	Individual
i.	New	Yes	Yes
ii.	Renaming	Yes	Yes
iii.	Interior Facility Components	Yes	Yes
iv.	Exterior Facility Components	Yes	Yes

c) Park Board Facilities		Corporate	Individual
i.	New	No	Yes
ii.	Renaming	No	Yes
iii.	Interior Facility Components	Yes	Yes
iv.	Exterior Facility Components	No	Yes

d) Social Services, Childcare		Corporate	Individual
i.	New	No	Yes
ii.	Renaming	No	Yes
iii.	Interior Facility Components	Yes	Yes
iv.	Exterior Facility Components	No	Yes

7.2. Any Applicant seeking approval of the granting of Naming Rights must first establish an internal Policy related to the sale of Naming Rights which has been approved by its Board of Directors, or in the case of civic departments and Boards, by the City Manager or General Managers of Boards.

- 7.3. Any Non-profit Tenant seeking approval for Naming Rights must have a current signed Occupation Agreement in place with the City, and must be in full compliance with that Agreement, to the satisfaction of the City.
- 7.4. City Council or its designate shall have the authority to either grant or refuse any Proposal to name Civic Community Facilities or any portion thereof.
- 7.5. The City will only consider Proposals directly from an Applicant.
- 7.6. The City shall evaluate Corporate Naming Proposals according to the following criteria:
 - a. An assessment of the Proposal against the Applicant's mission, vision and values.
 - b. A Naming Entity's products, services and business practices shall not contradict, to the extent reasonably ascertainable, the mandate, policies or objectives of the City, including the City's Ethical Purchasing Policy.
 - c. The Naming Entity's products, services and business practices shall conform to all applicable federal, provincial or municipal statutes, to the extent reasonably ascertainable.
- 7.7. The City shall evaluate Individual and Community Organization Naming Proposals according to the following criteria:
 - a. An assessment of the Proposal against the Applicant's mission, vision and values
 - b. The Naming Entity should have a direct relationship with the Applicant
 - c. If the Naming Entity is a non-profit community society, the Naming Entity must be a registered charitable society in good standing under the BC Societies Act.
 - d. If the Naming Entity is a non-profit community society, an assessment of the compatibility of the Naming Entity's and Applicant's mission, vision and values.
- 7.8. Logos will not be permitted on any signage relating to Naming Rights save and except for the Applicant's logo.

- 7.9. Signage and acknowledgement associated with Naming Rights must comply with all applicable laws and by-laws, and must be approved in advance by the City.
- 7.10. In addition to signage and acknowledgement associated with Naming Rights that is in accordance with (7.9), an Applicant may include as part of a comprehensive sign package one ancillary exterior sign for the naming or renaming of interior rooms or facility components. The ancillary exterior sign must not contain logos or wordmarks, must comply with all applicable laws and by-laws, and must be agreed upon by the applicant.
- 7.11. Naming of a Civic Community Facility should include the purpose of the facility (e.g. The ABC Arena as opposed to The ABC Centre).
- 7.12. Renaming of Civic Community Facilities must retain and reflect the historic name (e.g. The ABC Pacific Coliseum as opposed to the ABC Centre).
- 7.13. All Naming Rights Agreements will be for a fixed term, not to extend beyond the term of the Occupation Agreement.
- 7.14. If a Naming Rights Proposal is approved by Council or its designate, an Approval Agreement will be executed between the City and the Non-profit Tenant authorizing the Non-Profit Tenant to grant Naming Rights to the Naming Entity under terms and conditions to the satisfaction of the City's Legal Department.
- 7.15. The City will endeavour, to the extent reasonably practicable, to balance its responsibility to maintain transparent processes and provide full disclosure to the public, with its responsibility to maintain confidentiality regarding third party interests.

8. Application Process

- 8.1. For all Naming requests (Civic Community Facilities, Interior and Exterior Facility Components), the Applicant will provide the Designated City/Board Staff with

advance written notice of its intention to pursue Naming Rights, along with a copy of the Applicant's Naming Rights Policy which has been approved by the Applicant's Board of Directors, or in the case of a City operated facility, by the City Manager.

- 8.2. Designated City/Board Staff will review the Applicant's Naming Rights Policy to determine if it meets the intent of this Policy.
- 8.3. Applicants will make a Proposal and will provide to the Designated City Staff all relevant materials including:
 - a) Capital campaign plan including case for support, and comprehensive list of naming opportunities;
 - b) Current market valuation of the proposed Naming opportunity completed by an independent fundraising professional;
 - c) Proposed Naming Rights fee;
 - d) Proposed term of Naming Agreement;
 - e) Proposed rights and benefits;
 - f) Demonstrated support from key stakeholders (eg. members, users, donors, funders);
 - g) Intended use of funds (eg. capital, endowment, capital reserve plans);
 - h) Draft signage proposal and acknowledgement plan;
 - i) In the case of a multi-Tenanted Civic Community Facility, letters of support and approval from all other Tenants or occupants of the Civic Community Facility; and
 - j) Draft Naming Rights Agreement.
- 8.4. Designated City staff will review the Proposal and prepare a report.
- 8.5. For Corporate Naming Proposals for an entire Civic Community Facility, the City will commission and pay for an independent public opinion survey at the discretion of the City Manager with the consent of the Applicant. Survey wording will be developed in non-binding consultation with the Applicant.
- 8.6. If the Naming request is associated with a heritage building, the Designated City Staff will seek the advice of the City's Heritage Commission.

8.7. Naming Proposals for Civic Community Facilities which comply with this Policy will be reported to City Council or its designate for consideration and decision.

8.8. Naming Proposals for Interior and/or Exterior Facility Components of a Civic Community Facility which comply with this Policy will be reported to the City Manager for consideration and decision.

9. *Request for Reconsideration Process*

9.1. An Applicant may only submit a Request for Reconsideration if the Applicant can demonstrate that criteria and documentation were not properly assessed at the time of the initial review. It is Council's policy not to consider Requests for Reconsideration based on questions of evaluation.

9.2. Requests for Reconsideration for Naming Rights applications will be similar in process to the Civic Grants appeal process.

10. *Roles & Responsibilities*

10.1. The City Manager will:

- i. Designate a City staff person in the appropriate City departments who will:
 - a) Act as the primary liaison for Naming Rights requests;
 - b) Provide information to the Applicant on the interpretation of this Policy;
 - c) Evaluate the extent to which this Policy's guidelines have been met in the Proposal;
 - d) Facilitate timely communication;
 - e) Protect the confidentiality of Naming Rights Agreements to the extent practicably possible;
 - f) Facilitate and pay for an independent public opinion survey when necessary;
 - g) Review all Naming Rights Agreements to ensure that the City's interests are adequately protected;

- h) Seek advice from the City's Advisory Committees, if appropriate;
 - i) Seek advice from the City's Legal Services Department regarding the proposed Naming Rights Agreement; and
 - j) Report to the City Manager, City Council or its designate as appropriate.
- ii. Maintain a registry of all Occupation Agreements, Naming Rights Agreements, Commemorative Naming Agreements and Approval Agreements.
- iii. Consider and respond to all requests for Naming of Interior Facility Components and Exterior Facility Components based on this Policy.

10.2. City Council will:

- a) Consider Naming Proposals for Civic Community Facilities based on this Policy;
- b) Consider Requests for Reconsideration based on this Policy.

10.3. An Applicant will:

- a) Develop a Naming Rights Policy to be approved by its Board of Directors, or in the case of City-operated Civic Community Facilities, by the City Manager;
- b) Undertake due diligence to ensure all Proposals meet the spirit, intent, guidelines and procedures outlined in this Policy;
- c) Provide the Designated City Staff with the necessary documentation and information as outlined in this Policy;
- d) Execute a Naming Rights Agreement as outlined in this Policy;
- e) Execute an Approval Agreement as outlined in this Policy;
- f) Maintain regular communication with Designated City Staff throughout the process; and
- g) Assume any costs associated with the Naming of a Civic Community Facility or any portion thereof, with the exception of a public opinion survey where required.

11. Naming Rights Agreement

11.1. Naming Rights Agreements will be in the form of a legal contract between the Applicant and Naming Entity and should contain:

- a) A description of the contractual relationship, specifying the exact nature of the agreement;
- b) The term of agreement;
- c) Renewal options, if any;
- d) Value assessment, including cash, in-kind goods and services (and method of evaluating in-kind contributions);
- e) Payment schedule;
- f) Any commissions to be paid, accompanied by a payment schedule;
- g) Rights and benefits;
- h) Agreement to remove or cover signage for a limited period and only during an event where the City has a legal obligation to ensure sites are free of corporate signage, (eg. any Olympic-related event);
- i) Release, indemnification and early termination clauses;
- j) Insurance clauses; and
- k) Confidentiality terms.

11.2. All Naming Rights Agreements shall be reviewed to the satisfaction of the City's Director of Legal Services.

12. Approval Agreement

12.1. Approval Agreements shall be in the form of a legal contract between the City and a Non-profit Tenant and contain any terms and conditions of Council's or its designate's approval in granting Naming Rights, and shall be to the satisfaction of the City's Director of Legal Services.

City of Vancouver Commemorative Naming Policy Civic Community Facilities

1) Preamble

Commemorative Naming refers to the naming of a property in honour of outstanding achievement, distinctive service, or significant community contribution, generally without financial consideration. Naming Rights refers to the granting by the owner the right to name a piece of property or portions of a property usually granted in exchange for financial consideration.

This policy is intended to cover Commemorative Naming for Civic Community Facilities. A companion policy, Naming Rights, Civic Community Facilities covers requests to name Civic Community Facilities in exchange for financial consideration.

2) Purpose

- a) The purpose of this policy is to provide clear guidance regarding Commemorative Naming of Civic Community Facilities. The goal is to provide a consistent evaluation framework and approval process when considering Commemorative Naming proposals for Civic Community Facilities.

3) Scope

For other policies related to Naming, see Section 4.

- a) This policy applies to all Civic Community Facilities (see Definitions in Section 5), including Interior and Exterior Building Components, including those facilities operated directly by the City, and those operated by Non-profit Tenants.
- b) This policy does not apply to:
 - a) City-owned facilities leased to commercial tenants;

- b) City core services facilities (eg. City Hall, firehalls, police stations);
- c) Non-City facilities (eg. BC Place, Scotiabank Dance Centre);
- d) Non-City facilities which occupy City lands, and where the building is wholly and currently owned by the non-profit tenant (eg. YWCA Crabtree Corner, Chinese Cultural Centre);
- e) Naming of Vancouver Public Library facilities (See Section 4);
- f) Naming of streets (See Section 4);
- g) Naming of parks (See Section 4); and
- h) Naming of programs or events.

4) Other Related Naming Policies

- a) Related Civic Naming policies include:
 - a) City of Vancouver: Naming Rights Policy for Civic Community Facilities;
 - b) Vancouver Public Library: Sponsorship Policy and Donor Recognition Guidelines;
 - c) City of Vancouver: Street Naming Guidelines; and
 - d) Vancouver Park Board: Guidelines for Naming Parks.

5) Definitions

- a) **Applicant:** either a civic department, in the case of City-operated facilities, or a Non-profit Tenant, which makes a formal Proposal to the City for the Commemorative Naming of all or portions of a Civic Community Facility.
- b) **Approval Agreement:** an agreement between the City and a Non-profit Tenant outlining the terms and conditions of approval in granting Commemorative Naming Rights to a Naming Entity.
- c) **Civic Community Facility:** any property, complex, structure, building or portion thereof owned or controlled by the City of Vancouver but excluding properties identified in Section 3.2.

- d) **Commemorative Naming Rights:** Naming Rights granted to honour outstanding achievement, distinctive service, or significant community contribution.
Commemorative Naming will not be tied to a financial contribution.
- e) **Commemorative Naming Rights Agreement:** a legal contract outlining the terms of the agreement between the Applicant and Naming Entity.
- f) **Commemorative Naming Committee:** an ad hoc committee comprised of community representatives from Civic advisory groups, community foundations, and/or community organizations.
- g) **Designated City Staff:** for the purpose of administering this policy, the City Manager will designate a staff person in the relevant City department.
- h) **Exterior Facility Components:** all ancillary structures, and all exterior components of a Civic Community Facility which are visually accessible from the public realm, including, but not limited to, plazas, courtyards, squares, gardens, lawns, playing fields, playgrounds.
- i) **Interior Facility Components:** all substantial interior components of a Civic Community Facility, including, but not limited to, wings, halls, auditoriums, galleries, lounges, lobbies, and program rooms, etc.
- j) **Logo:** a combination of characters and/or graphics used to identify a company or organization, including a symbol, wordmark, or trademark.
- k) **Naming Entity:** The entity (eg. community organization or individual) to whom Naming Rights are granted pursuant to a Commemorative Naming Agreement.
- l) **Non-profit Tenant:** a non-profit organization occupying a Civic Community Facility through an Occupation Agreement.

- m) **Occupation Agreement:** the lease, sublease, licence, sublicense, management and/or operating agreement which grants a Non-profit Tenant the right to use and occupy a Civic Community Facility or a portion thereof.
- n) **Proposal:** the proposal by an Applicant to the City with respect to Commemorative Naming Rights.
- o) **Renaming:** a change of name to a piece of property which already has a name whether geographic, commemorative or historic.
- p) **Request for Reconsideration:** an appeal process available to Applicants where a Council designate has made a decision that they wish to appeal to City Council. A Request for Reconsideration will only be considered where the Applicant can demonstrate that the criteria and/or documentation were not properly evaluated at the time of the initial review.

6) *General Principles*

- a) Commemorative Naming Rights may be granted under the terms and conditions outlined in this Policy in recognition of individuals, groups of individuals and/or community organizations which have made a significant contribution.
- b) A Commemorative Naming Rights Agreement may not compromise the City's or a Non-profit Tenant's ability to carry out its functions fully and impartially.
- c) Neither the City nor its Non-profit Tenant may relinquish any aspect of its right to manage and control a Civic Community Facility through a Commemorative Naming Rights Agreement.
- d) The granting of Commemorative Naming Rights will not entitle a Naming Entity to preferential treatment by the City outside of the Commemorative Naming Rights Agreement.

- e) A Commemorative Naming Rights Agreement must not conflict with the terms and conditions of any existing Occupation Agreement between the City and a Non-profit Tenant, and/or between the City and a head-landlord.
- f) Established names of facilities contribute significantly to historic continuity, community identity and pride.
- g) Commemorative Naming recognition will be compatible with the physical attributes of a location.
- h) The approval of Commemorative Naming Rights will not result in additional costs for the City.
- i) Any cost associated with Commemorative naming will be the responsibility of the Applicant.
- j) The City will not pursue Commemorative Naming Rights with respect to a Civic Community Facility fully occupied by a Non-profit Tenant.
- k) The authority to grant Commemorative Naming Rights rests with Council or its designate.
- l) In multi-tenanted buildings, Proposals for Naming Civic Community Facilities, Exterior Facility Components or common areas will only be considered if all the Tenants support the Proposal and their support is documented to the City's satisfaction.

7) Guidelines

- a) Any citizen, group of citizens, entity or organization may submit a proposal to an Applicant to name a Civic Community Facility and Exterior/Interior Facility Components after an individual, group of individuals, or community organization to

honour and recognize significant contributions to the community through public service, community volunteerism or outstanding achievement.

- b) The contributions of the individuals or group must be well documented and broadly acknowledged within the community.
- c) To the extent possible, a direct relationship should exist between the Naming Entity and the Applicant.
- d) If the name proposed to be bestowed is that of an elected official or civil servant, they must be retired from public service to be eligible.
- e) Written permission and agreement must be obtained from the individual, group or organization who or which is being commemorated, or their legal representative, prior to consideration.
- f) Commemorative Names which reflect or imply a reference to any of the following will not be eligible:
 - a) Elected officials currently in office;
 - b) Commemorative Names which do not meet criteria outlined in this Policy;
 - c) Commemorative Names which are inconsistent with the mission, vision or values of the City of Vancouver.
- g) Proposals to commemoratively rename existing Civic Community Facilities will only be considered in exceptional circumstances. Existing names will not be changed without consideration of:
 - a) The historical significance of the existing name;
 - b) The impact on the individual or organization associated with the existing name;
and
 - c) The cost and impact of changing existing signage, rebuilding community recognition and updating records.

- h) Commemorative naming requests for Civic Facilities will be considered by an ad hoc Commemorative Naming Committee appointed by the City Manager.
Commemorative naming requests for Interior or Exterior Facility Components will be reported to the City Manager for consideration and decision.
- i) If a Proposal is approved by Council or its designate, an Approval Agreement will be executed between the City and the Non-profit Tenant authorizing the Non-Profit Tenant to grant Commemorative Naming Rights to the Naming Entity under terms and conditions to the satisfaction of the City's Director of Legal Services.
- j) The City will endeavour, to the extent reasonably practicable, to balance its responsibility to maintain transparent processes and provide full disclosure to the public, with its responsibility to maintain confidentiality regarding third party interests.

8) Application Process

- a) The Applicant will provide the Designated City Staff with written notice of any inquiry from the community related to Commemorative Naming whether approved or not by the Applicant's Board of Directors, or in the case of a City operated facility, by the City Manager.
- b) For all Commemorative Naming requests, the Applicant shall submit a written Proposal including at a minimum:
 - a) Documentation verifying that the person/organization being honoured is in agreement with the Proposal (if they are living), or by their legal representative should they be deceased;
 - b) Background information and/or biographical information demonstrating that the proposed name is of significance to the community;
 - c) Documentation including letters of support for the Naming.

- d) In the case of a multi-tenanted civic community facility, letters of support and approval from all other tenants or occupants of the civic community facility.
- c) Designated City Staff will review the Proposal to determine if it meets the intent of this Policy.
- d) If a Proposal for a Civic Community Facility is associated with a heritage building, the Designated City Staff person will seek the advice of the City's Heritage Commission.
- e) If the Proposal for a Civic Community Facility is found to be in compliance with this Policy, staff will submit the Proposal, as well as a report and recommendation to the Commemorative Naming Committee.
- f) When considering the naming of Civic Community Facility, the Commemorative Naming Committee shall hold at least one advertised public meeting in the vicinity of the relevant Civic Community Facility to hear public input with respect to the Proposal.
- g) A notice of intent to consider Commemorative Naming of a Civic Community Facility shall be published in a newspaper of general circulation. The notice shall indicate the location of the facility, any historical significance of the property or facility, and inform the public of the time, date and place of the public meeting.
- h) Prior to making a final recommendation, the Commemorative Naming Committee shall fully investigate the Proposal, and shall consider compliance with this policy and any other factor the Committee deems relevant. A recommendation for approval shall require an affirmative vote of a majority plus one of the total Commemorative Naming Committee membership.
- i) The Commemorative Naming Committee shall complete its review process within 90 days of its establishment and report its recommendation to City Council, and disband when Council action is taken to accept or reject the recommendation of the Committee.

- j) City Council or its designate will consider a report to name a Civic Community Facility by the Designated City Staff as well as the Committee recommendation prior to making its decision.

9) Request for Reconsideration Process

- a) An Applicant may only submit a Request for Reconsideration if the Applicant can demonstrate that criteria and documentation were not properly assessed at the time of the initial review. It is Council's policy not to consider Requests for Reconsideration based on questions of evaluation.
- b) Requests for Reconsideration for Naming Rights applications will be similar in process to the Civic Grants appeal process.

10) Roles & Responsibilities

- a) The City Manager will:
 - i. Designate a City staff person in the appropriate City departments who will:
 - a) Act as the primary liaison for Commemorative Naming requests;
 - b) Provide information to the Applicant on the interpretation of this Policy;
 - c) Evaluate the extent to which this Policy's guidelines have been met in the Proposal;
 - d) Facilitate timely communication;
 - e) Protect the confidentiality of Commemorative Naming Agreements to the extent practicably possible;
 - f) Review all Commemorative Naming Agreements to ensure that the City's interests are adequately protected;
 - g) Seek advice from the City's Advisory Committees, if appropriate;
 - h) Seek advice from the City's Legal Services Department regarding the proposed Commemorative Naming Agreement;
 - i) Report to the City Manager, City Council or its designate as appropriate;

- j) Convene and provide support to the Commemorative Naming Committee for a Civic Community Facility.

- ii. Maintain a registry of all Occupation Agreements, Naming Rights Agreements, Commemorative Naming Agreements and Approval Agreements.

- iii. Consider all Proposals for Commemorative Naming of Interior Facility Components and Exterior Facility Components based on this Policy.

- b) **City Council will:**
 - i. Consider Commemorative Naming Proposals for Civic Community Facilities based on this Policy;

 - ii. Consider Requests for Reconsideration based on this policy.

- C) **An Applicant will:**
 - a) Consider and report any request from the community for Commemorative Naming to its Board of Directors, or in the case of City-operated Civic Community Facilities, the City Manager for approval or rejection;
 - b) Undertake due diligence to ensure all Proposals meet the spirit, intent, guidelines and procedures outlined in this Policy;
 - c) Provide the Designated City Staff with the necessary documentation and information as outlined in this Policy;
 - d) Execute a Commemorative Naming Rights Agreement as outlined in this Policy;
 - e) Execute an Approval Agreement as outlined in this Policy;
 - f) Maintain regular communication with Designated City Staff throughout the process; and
 - g) Assume any costs associated with the Commemorative Naming of a Civic Community Facility or any portion thereof including the cost of any public meetings.

11) Commemorative Naming Rights Agreement

- a) Commemorative Naming Rights Agreements will be in the form of a legal contract between the Applicant and Naming Entity and should contain:
 - i. A description of the contractual relationship, specifying the exact nature of the agreement;
 - ii. Rights and benefits;
 - iii. Agreement to remove or cover signage for a limited period and only during an event where the City has a legal obligation to ensure sites are free of corporate signage, (eg. any Olympic-related event);
 - iv. Release, indemnification and early termination clauses;
 - v. Insurance clauses; and
 - vi. Confidentiality terms.

- b) All Commemorative Naming Rights Agreements for Civic Community Facilities shall be reviewed to the satisfaction of the City's Director of Legal Services.

12) Approval Agreement

- a) Approval Agreements shall be in the form of a legal contract between the City and a Non-profit Tenant and contain any terms and conditions of Council's approval in granting Commemorative Naming Rights and shall be to the satisfaction of the City's Director of Legal Services.