



# College Station, TX

City Hall  
1101 Texas Ave  
College Station, TX 77840

## Meeting Agenda - Final - Amended

### City Council Workshop

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**Thursday, January 14, 2016**

**4:00 PM**

**City Hall Council Chambers**

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1. Call meeting to order.
2. Executive Session will be held in the Administrative Conference Room.

Consultation with Attorney {Gov't Code Section 551.071}; possible action. The City Council may seek advice from its attorney regarding a pending or contemplated litigation subject or settlement offer or attorney-client privileged information. Litigation is an ongoing process and questions may arise as to a litigation tactic or settlement offer, which needs to be discussed with the City Council. Upon occasion the City Council may need information from its attorney as to the status of a pending or contemplated litigation subject or settlement offer or attorney-client privileged information. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

#### Litigation

- a. Juliao v. City of College Station, Cause No. 14-002168-CV-272, In the 272nd District Court of Brazos County, Texas
- b. City of College Station, Texas, v. Embrace Brazos Valley, Inc., Cause No. 15-000804-CV-85, In the 85th Judicial District Court, Brazos County, Texas

#### Legal Advice

- a. Legal issues related to 'open carry' law
- b. Legal advice regarding RFI – Affordable Housing Development
- c. Legal issues related to city's authority to guarantee a private loan for development

Personnel {Gov't Code Section 551.074}; possible action - The City Council may deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer. After executive session discussion, any final action or vote taken will be in public. The following public officer(s) may be discussed:

- a. City Manager
- b. City Attorney
- c. City Secretary
- d. City Municipal Judge
- e. Internal Auditor

3. Take action, if any, on Executive Session.

4. Presentation, possible action and discussion on items listed on the consent agenda.

5. [15-0660](#) Presentation, and discussion on a new ordinance amending Chapter 4, "Business Regulations" of the Code of Ordinances of the City of College Station, Texas, by adding section 24 "Business Security" as set out below; providing a severability clause; declaring a penalty; and providing an effective date.

**Sponsors:** Couch

**Attachments:** [CH 4 Sec 24 Bus Sec Ord 1-5-16.pdf](#)  
[CH 4 Sec 24 Bus Sec Ord 1-5-16.docx](#)

6. [16-0002](#) Presentation, possible action, and discussion regarding an annual report on the activities of the Historic Preservation Committee.

**Sponsors:** Schmitz

7. [15-0701](#) Presentation, possible action, and discussion regarding a City Sponsorship Policy.

**Sponsors:** Schmitz

**Attachments:** [Sponsorship Policy - 11.17.15.docx](#)  
[Support App Form 11.10.15.docx](#)  
[Support Criteria 11.10.15 .docx](#)  
[Sponsorship Agreement 11.17.15.docx](#)  
[NAMING OF CITY FACILITIES AND SUB-FACILITIES APPROVED.docx](#)

5. Council Calendar - Council may discuss upcoming events.

6. Presentation, possible action, and discussion on future agenda items and review of standing list of Council generated agenda items: A Council Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.

7. Discussion, review and possible action regarding the following meetings: Animal Shelter Board, Annexation Task Force, Arts Council of Brazos Valley, Arts Council Sub-committee, Audit Committee, Bicycle, Pedestrian, and Greenways Advisory Board, Bio-Corridor Board of Adjustments, Blinn College Brazos Valley Advisory Committee, Brazos County Health Dept., Brazos Valley Council of Governments, Bryan/College Station Chamber of Commerce, Budget and Finance Committee, BVSWMA, BVWACS, Compensation and Benefits Committee, Convention & Visitors Bureau, Design Review Board, Economic Development Committee, Gigabit Broadband Initiative, Historic Preservation Committee, Interfaith Dialogue Association,

Intergovernmental Committee, Joint Relief Funding Review Committee, Landmark Commission, Library Board, Metropolitan Planning Organization, Parks and Recreation Board, Planning and Zoning Commission, Research Valley Partnership, Research Valley Technology Council, Regional Transportation Committee for Council of Governments, Sister Cities Association, Transportation and Mobility Committee, TAMU Student Senate, Texas Municipal League, Twin City Endowment, YMCA, Youth Advisory Council, Zoning Board of Adjustments, (Notice of Agendas posted on City Hall bulletin board).

#### 8. Adjourn

The City Council may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion.

APPROVED  
  
City Manager

I certify that the above Notice of Meeting was posted at College Station City Hall, 1101 Texas Avenue, College Station, Texas, on January 11, 2015 at 3:45 p.m.

  
City Secretary

This building is wheelchair accessible. Handicap parking spaces are available. Any request for sign interpretive service must be made 48 hours before the meeting. To make arrangements call (979) 764 3541 or (TDD) 1 800 735 2989. Agendas may be viewed on [www.cstx.gov](http://www.cstx.gov). Council meetings are broadcast live on Cable Access Channel 19.

#### **Penal Code § 30.07. Trespass by License Holder With an Openly Carried Handgun.**

**"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."**

#### **Codigo Penal §30.07. Traspasar Portando Armas de Mano al Aire Libre con Licencia.**

**"Conforme a la seccion 30.07 del codigo penal (traspasar portando armas de mano al aire libre con licencia), personas con licencia bajo del Sub-Capitulo H, Capitulo 411, Codigo de Gobierno (Ley de licencias de arma de mano), no deben entrar a esta propiedad portando arma de mano al aire libre."**



Legislation Details (With Text)

<b>File #:</b>	15-0660	<b>Version:</b>	1	<b>Name:</b>	Security Camera Surveillance
<b>Type:</b>	Ordinance	<b>Status:</b>		<b>Status:</b>	Agenda Ready
<b>File created:</b>	11/5/2015	<b>In control:</b>		<b>In control:</b>	City Council Workshop
<b>On agenda:</b>	1/14/2016	<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	Presentation, and discussion on a new ordinance amending Chapter 4, "Business Regulations" of the Code of Ordinances of the City of College Station, Texas, by adding section 24 "Business Security" as set out below; providing a severability clause; declaring a penalty; and providing an effective date.				
<b>Sponsors:</b>	Billy Couch				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">CH 4 Sec 24 Bus Sec Ord 1-5-16.pdf</a> <a href="#">CH 4 Sec 24 Bus Sec Ord 1-5-16.pdf</a>				

Date	Ver.	Action By	Action	Result
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Presentation, and discussion on a new ordinance amending Chapter 4, "Business Regulations" of the Code of Ordinances of the City of College Station, Texas, by adding section 24 "Business Security" as set out below; providing a severability clause; declaring a penalty; and providing an effective date.

Relationship to Strategic Goals:

- Good Governance
- Neighborhood Integrity
- Sustainable City

Recommendation(s): Staff recommends discussion and direction from Council on the amendments regarding City ordinance Chapter 4 "Business Regulations."

Summary: The purpose of the proposed modification is to strengthen security for businesses more vulnerable through the use of security measures to include Security Camera Surveillance. The proposed change will provide store owners with protective measures to reduce the likelihood of becoming a victim of crime. The proposed change will further provide the police and prosecutor access to material of evidentiary value that will assist in the apprehension and prosecution of offenders who may prey on the affected businesses.

Budget & Financial Summary: N/A

Attachments:

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 4, “BUSINESS REGULATIONS” OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY ADDING SECTION 24 “BUSINESS SECURITY” AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:**

**PART 1:** That Chapter 4, “Business Regulations” of the Code of Ordinances of the City of College Station, Texas, be amended by adding Section 24 “Business Security” as set out in Exhibit “A”, attached hereto and made a part of this ordinance for all purposes.

**PART 2:** That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

**PART 3:** That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not less than Twenty-Five Dollars (\$25.00) or more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

**PASSED, ADOPTED and APPROVED this 14<sup>th</sup> day of January, 2016.**

**APPROVED:**

\_\_\_\_\_  
**Mayor**

**ATTEST:**

\_\_\_\_\_  
**City Secretary**

**APPROVED:**

\_\_\_\_\_  
**City Attorney**

**Exhibit “A”**

That Chapter 4, “Business Regulations” of the Code of Ordinances of the City of College Station, Texas, be amended by adding Section 24 “Business Security” and is to read as follows:

**Section 23. Business Security**

- A. Definitions.** The following terms when used in this section shall have the below stated meanings, except where context clearly indicates a different meaning.
- 1. Convenience Goods** means basic food and drink items, household products and goods and pharmaceutical items.
  - 2. Employee** means any person who is employed in consideration of direct or indirect monetary wages, commissions, or profits, any contract employee and any other person engaged in Store operation.
  - 3. Height Strip** means markings to aid in estimating the height of suspects.
  - 4. Manager** means the person designated by the Owner to be responsible for the daily Store operation.
  - 5. Owner** means the person, individual, group, corporation, partnership, joint venture or other group enterprise licensed to do business, hold title or lease property for the operation of the Store.
  - 6. Police Department** means the College Station Police Department
  - 7. Security Camera Surveillance** means a system of cameras designed to capture and store video data in a Store for security purposes.
  - 8. Store** means a convenient store, gas station, retail store selling Convenience Goods, liquor store containing less than 10,000 square feet of retail sales space.

**B. Registration of Stores.**

1. **Registration.** All Stores must register with the Police Department. No fee will be charged for the registration.
2. **Inspection.** Stores will be inspected by the Police Department to ensure compliance.
3. **Application.** The Store Owner shall register by providing the Police Department the following information on an application form approved by the City:
  - a. The name, telephone number, facsimile number and email address.
  - b. Business or residence address of the owner.
  - c. If the Owner is a corporation, whether foreign or domestic, the name of the registered agent of the owner and the telephone number and facsimile number, email address and business or residence address of the registered agent, which address information shall include the street name and number, office or suite number if a business address, and the city, state, and zip code.
  - d. The nature and extent of the owner's interest in the property.
  - e. The name, telephone number, facsimile number, email and business or residence address, including street name and number, city, state and zip code, of the current Manager and, if the Manager is other than an individual, the name, title, telephone number, facsimile number and business or residence address, including street name and number, city, state and zip code, of the individual to be contacted for any purpose under this article relating to the convenience store.
  - f. The use of a public or private post office box or other non-physical similar address shall not be sufficient for the purposes of complying with this subsection.
4. **Change in Ownership.** Any Store ownership change, including, but not limited to, the sale of the store or any ownership interest therein, shall require the purchaser or transferee to update the registration information and to file the updated information with the Police Department within thirty (30) days of the effective date of the ownership change. The same requirement shall apply to any change relating to the owner's registered agent and manager. A prior owner shall advise the Police Department he no longer holds any ownership interest in the property.

5. **New Stores.** The owner of a newly constructed, remodeled or established Store shall comply with this section within thirty (30) days of receiving their certificate of occupancy.
6. **Application Acceptance.** After a Store Owner complies with the provisions of this section, the Police Department will provide the Store:
  - (1) A registration compliance decal or sign to be displayed conspicuously at a public entrance door to the Store.
  - (2) A registration statement to be displayed conspicuously at a public entrance door to the Store.
7. Compliance with the requirements of this section shall be deemed to meet the requirements of 250.003 and 250.004 of the Texas Local Government Code.

**C. Store Owner and Manager Requirements.**

1. **Store Owners shall:**
  - a. Have and maintain in an operable condition Security Camera Surveillance monitoring, recording and storage equipment in the Store.
  - b. Maintain and back up all Security Camera Surveillance data for twenty-one (21) days.
  - c. Understand operation and retrieve data from the Security Camera Surveillance System.
  - d. Post readable signage in a conspicuous place at all public points of entry and exit indicating Security Camera Surveillance is used at the Store.
  - e. Provide any law enforcement agency investigating a crime a copy of the Security Camera Surveillance data and full access to the Security Camera Surveillance system.
  - f. Properly train Managers how to use and retrieve data from the Security Camera Surveillance system.
  - g. Install and maintain a Height Strip and all signage required by this section.
  - h. Provide any law enforcement agency investigating a crime a copy of the Security Camera Surveillance data and full access to the Security Camera Surveillance system immediately or as soon as practical upon law enforcement's request.

**2. Store Managers shall:**

- a. Understand how to use and retrieve data from the Security Camera Surveillance System.
- b. Assist the Store Owner their superiors to ensure Security Camera Surveillance monitoring, recording and storage equipment is in operation and functional at all times, even during times the store is closed.
- c. Report nonfunctioning Security Camera Surveillance monitoring, recording or storage equipment immediately to their superior and the Owner.
- d. Provide any law enforcement agency investigating a crime a copy of the Security Camera Surveillance data and full access to the Security Camera Surveillance system immediately or as soon as practical upon law enforcement's request.

**D. Security Camera Surveillance Locations.**

1. **Points of Entry and Exit.** Cameras shall be located at all public entrances and exits to capture clear frames of individual's faces.
2. **Point of Sale Locations.** Cameras shall be located at all point of sale locations to capture the cash register, money drawer, credit transaction area to capture clear frames of individual's faces on both sides of the counter, register or money drawer.
3. **Fuel Pump Area.** Cameras shall be located in a position to capture fuel pump areas.

**E. Security Camera Surveillance Equipment Requirements.**

1. **Security Surveillance Cameras must:**
  - a. Record in a digital color format and in high-resolution.
  - b. Display the correct date and time of the recording.
  - c. Capture clear images in darkness or low lighting.
2. Data captured on the Security Camera Surveillance system hard drive, server or cloud storage system must be in a retrievable format and must be able to be retrieved on an external device and must retain the highest resolution for a stored file.
3. The data provided must contain the appropriate software, viewer or codec is necessary for playing the video on a system other than the parent Security Camera Surveillance system and computers.

4. Security Camera Surveillance system and computer hard drive, server, or cloud storage system must have enough storage space to store twenty-one (21) days of recorded data and must be capable of a system back up.

**F. Safe.**

1. A Store Owner shall have a safe on the premises to keep the amount of cash available to employees to a minimum.
2. A Store Owner shall have a cash accountability policy mandating the maximum amounts of cash that can be kept in cash registers.
3. A Store Owner shall have posted at all public exits and entrances conspicuous signs stating employees cannot open the safe and employees have minimal cash on hand.

**G. Security Signs and Height Strips.**

1. **Security Signs.** A Store Owner shall have posted at all public exits and entrances, front, sides and rear of the Store “No Loitering” and “No Trespassing” signs in lettering two inches or larger.
2. **Height Strips.** A Store Owner shall have Height Strips posted at all public exits.

**H. Alarm System.**

1. A Store Owner shall have a silent panic or holdup alarm system on premises. This system shall, at a minimum, include a panic button located within reach of the cash register and out of view of the customer. The panic button will generate an alarm signal indicating a holdup or other life-threatening emergency requiring an emergency response.
2. A Store Owner shall have posted at all public exits and entrances signs indicating a security alarm system is in use by the Store.

**I. Trespass Affidavit.**

A Store Owner shall execute a trespass affidavit as promulgated by the Police Department in order to enforce all applicable trespass laws on the Owner's at the Store. A true and correct copy of the trespass affidavit shall be posted at the convenience store at all times in a conspicuous place accessible at all times to the public.

**J. Violation.**

1. It is unlawful for any Person, Owner or Manager to violate the provisions of this ordinance.
2. Any Person, Owner, Employee, Manager or Supervisor not in compliance or in violation with this ordinance shall be an offense punishable as provided in Chapter 1 Section 5 of this Code of Ordinances.

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  - c.** If the Owner is a corporation, whether foreign or domestic, the name of the registered agent of the owner and the telephone number and facsimile number, email address and business or residence address of the registered agent, which address information shall include the street name and number, office or suite number if a business address, and the city, state, and zip code.
  - d.** The nature and extent of the owner's interest in the property.
  - e.** The name, telephone number, facsimile number, email and business or residence address, including street name and number, city, state and zip code, of the current Manager and, if the Manager is other than an individual, the name, title, telephone number, facsimile number and business or residence address, including street name and number, city, state and zip code, of the individual to be contacted for any purpose under this article relating to the convenience store.
  - f.** The use of a public or private post office box or other non-physical similar address shall not be sufficient for the purposes of complying with this subsection.
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**I. Trespass Affidavit.**

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## Legislation Details (With Text)

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**File #:** 16-0002      **Version:** 1      **Name:** Annual report on the activities of the Historic Preservation Committee

**Type:** Report      **Status:** Agenda Ready

**File created:** 1/4/2016      **In control:** City Council Workshop

**On agenda:** 1/14/2016      **Final action:**

**Title:** Presentation, possible action, and discussion regarding an annual report on the activities of the Historic Preservation Committee.

**Sponsors:** David Schmitz

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding an annual report on the activities of the Historic Preservation Committee.



## Legislation Details (With Text)

**File #:** 15-0701      **Version:** 1      **Name:** Sponsorship Policy  
**Type:** Presentation      **Status:** Agenda Ready  
**File created:** 11/20/2015      **In control:** City Council Workshop  
**On agenda:** 1/14/2016      **Final action:**  
**Title:** Presentation, possible action, and discussion regarding a City Sponsorship Policy.  
**Sponsors:** David Schmitz  
**Indexes:**  
**Code sections:**  
**Attachments:** [Sponsorship Policy - 11.17.15.pdf](#)  
[Support App Form 11.10.15.pdf](#)  
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[NAMING OF CITY FACILITIES AND SUB-FACILITIES APPROVED.pdf](#)

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding a City Sponsorship Policy.

**Recommendation(s):**  
Staff recommends approval.

**Summary:**  
The Sponsorship Policy is a guide for City sponsorship of its public facilities, properties, special events, and tournaments as well as requests for support from the City. It is intended to establish a standardized approach to assessing the compatibility between the City and potential sponsors, and criteria for consideration of support requests.

The proposed policy includes guidelines, definitions, criteria, approval hierarchy, restrictions, and procedures. The policy received unanimous support from the Parks and Recreation Advisory Board at their June 9, 2015 meeting.

**Budget & Financial Summary:**  
None

**Attachments:**

**CITY OF COLLEGE STATION**  
**SPONSORSHIP POLICY**  
\_\_\_\_\_ (date)

**I. GENERAL POLICY STATEMENT**

From time to time the City of College Station (“City”) may seek Sponsorships that further its mission of making City facilities, events, programs or services available to its citizens and the general public. Likewise, others may request the City to consider sponsoring their facilities, events, programs and services. The City may consider these requests to the degree it determines it is beneficial to its citizens and/or the general public, and provided the City has appropriate resources available for such Sponsorship. Sponsorships may be in the form of monetary or in-kind support, and can be flexible to meet the nature of the specific facility, event, program or service.

The City strives for Sponsorships that are compatible with its public purpose, and decisions concerning Sponsorship may be based upon this. This includes taking into consideration the nature of the facility, event, program or service, aesthetics, public perception, and other City priorities and issues; avoiding Sponsorships that are political in nature, offensive, inappropriately exclusionary, or that the City otherwise determines to be inconsistent with its purpose and mission. The City may refuse Sponsorships from entities which manufacture products or take positions inconsistent with local, state, or federal law, policies, positions, or resolutions. The City’s acceptance of, or entering into, a Sponsorship arrangement is not an endorsement of the Sponsor’s organization, products, or services.

Sponsorships provide a means to generate funds for improving or expanding those facilities, programs, events and services serving the City’s citizens and/or the general public. The City currently limits its sponsorship program to nonpublic forums and exercises sole discretion over its Sponsorship decisions, including the circumstances under which it enters into a Sponsorship relationship, the nature of the Sponsorship and all other details.

**Other policies.**

Except as set forth below, this policy replaces any prior ones addressing the same subject matter.

This policy is in addition to and is intended to complement the following policies. Where possible this policy and the following policies should be read in harmony. If there is a direct conflict, the more specific provision should prevail that is in keeping with the overall public purpose, mission and goals of the City:

- A. Naming of City Facilities and Sub-Facilities, approved May 14, 2012.
- B. City Dedication Plaque Policy, approved May 14, 2012.

## **11. PURPOSE**

This policy is designed to provide guidance for developing and managing Sponsorships of City facilities, events, programs and services, and the criteria under which to consider Sponsorship of the facilities, events programs and services of third parties. This includes setting forth the criteria for considering and entering into Sponsorship relationships, determining benefits to be made available to Sponsors in exchange for Sponsorships, such as branding and name recognition on City property or in City-generated communications. It is the intent of the City to preserve its full rights and discretion to restrict access to City assets and facilities, and to City-generated communications, and to reject or refuse placement of any or all Sponsorship messages as it deems appropriate. To the extent that Sponsorships include an entitlement of the Sponsor to have branding, name recognition or other messaging in various locations and in various City communications, the City reserves the right of full editorial control over the placement, content, appearance and wording of such messaging, and may determine and prohibit types of Sponsorship messages which are deemed inappropriate for, or inconsistent with, the business of the City or its public purpose.

## **III. DEFINITION OF TERMS**

- A. “City Asset” or “City Facility” means those structures and interests in real property owned, operated or under the control of the City.
- B. “Nonpublic forum” is broadly defined as any property that is not by tradition or designation a forum for public communication (such as most government publications and websites).
- C. “Open, limited, or designated public forum” means either a forum under the control of the City that is traditionally open to the unfettered exchange of ideas, (such as a park or a sidewalk), or a forum under the control of the City that is non-traditionally open but is nevertheless intentionally and affirmatively opened by the City for speech (such as a street-side kiosk for posting pamphlets or a special area designated for making speeches).
- D. “Sponsor” means the external entity with which a business relationship is created relating to the exchange of goods, services and donations in a Sponsorship with the City.
- E. “Sponsorship” means a business relationship created between the City and one or more external entities involving the exchange of funds, goods, services, and donations with respect to a facility, event, program or other matters serving or of benefit to the general public as determined by the City. Depending on the nature

of the sponsorship, there may be entitlement to public recognition of support, including name recognition and other matters pursuant to this policy.

#### **IV. SPONSORSHIP OF CITY FACILITIES, EVENTS, PROGRAMS, SERVICES**

Sponsorship of a specific facility, event, program or service should be negotiated and tailored individually in a manner consistent with this policy. Depending on the amount and length of time of a Sponsorship, Sponsorships may require entering into an agreement specifying in more detail the nature of the Sponsorship. Typically, a hierarchy of benefits should accrue to a Sponsor commensurate with the value of the Sponsorship.

The following sets forth the types of Sponsorships that will be considered by the City, although variations and other types may be considered when consistent with this policy.

##### **A. “Branding Rights” Sponsorship.**

“Branding Rights” is a type of Sponsorship where an individual, foundation, corporation, nonprofit organization, service club, or other entity has the exclusive right to brand or name a City Asset or City Facility, such as a particular venue, event, program or facility (e.g., athletic field, sports complex, playground, or community facility) for a period of time. Typically this occurs when a significant monetary contribution or other contribution having a significant impact is made by an external entity for a major City Asset or City Facility. In exchange for making such a large contribution, the external entity may be entitled to an exclusive or near-exclusive opportunity to advertise its name and/or its business. Usually branding rights are considered in a commercial context, where the branding right is sold or exchanged for cash and/or other considerations sometimes under a long-term arrangement pursuant to a written agreement.

The following guidelines should be met for Branding Rights Sponsorships:

1. The Sponsor supports the image, values and public purpose objectives of the City.
2. The Sponsor understands and agrees the City does not relinquish to the proposed Sponsor any aspect of the right to manage and control City Assets or City Facilities.
3. Acknowledgements of the contribution made by Sponsor, whether through signage, utilization of electronic mediums or other publicity and advertising mediums conforms to applicable City policies, ordinances and plans.
4. The appropriate authority from the City has approved the Sponsorship in accordance with this policy.
5. The name of the facility, event, program or service being Sponsored is preserved so as to preserve the identifiability of such facility, event, program or service.
6. The name of the facility, event, program or service takes into account the

- historical and community significance of the City Facility or City Asset.
7. The Sponsor recognizes and understands that it shall have ongoing responsibilities to adhere to the standards set forth herein, and any agreement entered into may require this or call for termination for failure to comply.
  8. City costs incurred in branding an event as a result of a Branding Rights Sponsorship should come from funding designated for such City Facility or City Asset.

**B. “Events, Programs and Services” Sponsorship.**

1. *Title Sponsor*

This is a type of Sponsorship where an individual, foundation, corporation, nonprofit organization, service club, or other entity has exclusive recognition as the title Sponsor of an event, program or service. The following guidelines shall be applied for title Sponsorships of City events, programs and services:

- a. Recognition of the title Sponsor may be on any City-owned, initiated or controlled medium including video, print and electronic marketing and advertising materials acknowledging the title Sponsor of the event, program or service.
- b. Title Sponsor signage/displays as approved by the City may be at the event, program or service location for a period approximating the length of the event, program or service.
- c. Sponsor and City may agree to product exclusivity for the event, program or service.
- d. Other benefits as negotiated consistent with this policy.

2. *Cash Sponsor*

This is a type of Sponsorship where an individual, foundation, corporation, nonprofit organization, service club, or other entity provides cash to support a City event, program or service. Depending on the amount of cash provided by Sponsor, a cash Sponsor may also be a title Sponsor. The following guidelines shall be applied when entering into a cash Sponsorship for City events, programs and services:

- a. Recognition as negotiated for City video, print or online marketing and advertising materials as a Sponsor of the event, program or service.
- b. Sponsor signage/displays at the event, program or service location for a period not to exceed the length of the event.
- c. For recognition on negotiated commemorative items such as park

benches or engraved bricks, Sponsorship is limited to an individual, corporate or partnership name(s), a memorial dedication and date(s), as appropriate, and may be subject to other line or character limitations.

- d. Other benefits as negotiated.

3. *In-Kind Sponsor*

This is a type of Sponsorship in which an individual, foundation, corporation, nonprofit organization, service club or other entity provides a good or service in exchange for Sponsorship recognition at a City event, program or service. Typically there is no monetary exchange with this type of Sponsorship. The following guidelines shall be applied when entering into an in-kind Sponsorship for City events, programs and services:

- a. Recognition as negotiated in City video, print or online marketing and advertising materials as a Sponsor of the event, program or service.
- b. Sponsor signage/displays at the event, program or service location for a period not to exceed the length of the event.
- c. Other benefits as negotiated.

4. *Gifts*

Restricted and un-restricted gifts of cash or items of value may be processed under this policy as Sponsorships. In such instances, offer and receipt of gifts will follow all of the same guidelines and procedures set forth in this policy.

**C. Approval Required.**

Sponsorships must be approved by the City and should occur as set forth below.

1. Except as required by law or expressly established by an affirmative action of the City Council, no property or publication of the City shall be intended or considered as an open, limited, or designated public forum.
2. City Control. To ensure the proper expenditure of City funds and resources, the City maintains control and use over its Sponsorships. Specifically, no person has a right to access or use any City property or publication for any purpose other than the intended and authorized governmental purpose or service, and as may be set forth in a Sponsorship agreement. Placement of Sponsorship messages upon City property or in City publications requires prior City authorization.
3. Level of approval. The level of Sponsorship involved determines how it is

approved as set forth below:

- a. The City Council approves
    - i. Sponsorships that exceed \$50,000 in value including Branding Rights exceeding \$50,000 in value;
    - ii. Agreements that exceed three (3) years in length of term; or
    - iii. Any other Sponsorship for which the City determines City Council approval is required or appropriate.
  - b. The City Manager or his designee approves
    - i. Sponsorships valued up to and including \$50,000; or
    - ii. Where City Council approval is not otherwise required.
  - c. The Department Director approves Sponsorships
    - i. Valued less than \$25,000; or
    - ii. Where neither City Council approval nor City Manager approval is not otherwise required.
4. Form of Approval. Approval may be provided in the form of an approved, signed application for simple Sponsorships or Sponsorships of lesser value, and by formal agreement authorized by the appropriate City official or staff for other Sponsorships in the manner set forth herein.

Approval of Sponsorships should generally address the following:

- a. Identification of the City facility, event, program or service;
- b. The exact nature and/or value of the Sponsorship;
- c. Activities, products, and services of the sponsoring private entity, its parent, subsidiaries, affiliates and predecessor companies;
- d. Details regarding recognition of the Sponsorship, including type, duration and other relevant matters;
- e. The type and nature of control over the Sponsorship to ensure proper expenditure of public funds and resources, maintenance of the overall public purpose of the facility, event, program or service; and
- f. The conditions under which the Sponsorship may be terminated.

#### **D. Criteria for Approval of Sponsorships.**

1. Generally. The nature and type of need of the City for Sponsorship of the City facility, event, program or service should be considered as well as the type of support and recognition available.
2. Factors. The City recognizes that while entering into a Sponsorship with an external entity does not constitute an endorsement of the entity or its services and products, it does imply an affiliation of some proportion. Such affiliation may affect the reputation of the City among its residents

and affect its ability to govern effectively. Therefore, any proposal for Sponsorship should complement, be consistent with or not be conflictive with the City's goals, mission and purposes. This involves considering the following:

- a. Is the City's mission, values, policies and ordinances consistent with the proposed Sponsor's mission, products, services and marketing goals?
  - b. Does the Sponsorship enhance City facilities, programs, events, and services?
  - c. Are the proposed tangible and intangible benefits balanced for both the Sponsor and the City?
  - d. Is the level and type of recognition commensurate or otherwise reasonable considering the level and type of benefit received by the City?
  - e. Are the conditions of the recognition of the Sponsorship consistent with the standards, aesthetic values, and visual integrity of the City and the expectations of users of the facility, event, program or service?
  - f. Does the Sponsorship create a conflict of interest for the City?
  - g. Does the Sponsorship in any way invoke future consideration, influence, or perceive to influence City operations?
  - h. Is the Sponsorship appropriate to the target audience?
  - i. Will the results of the Sponsorship relationship deliver a positive and desirable image for the City?
  - j. What is the proposed Sponsor's record or intent of environmental stewardship and/or social responsibility, and how relevant is this to the proposed Sponsorship?
  - k. What is the rationale for the proposed Sponsor's interest in Sponsoring?
  - l. What are the expectations, ability, timeliness, and readiness of the proposed Sponsor to enter into a Sponsorship arrangement with the City?
  - m. How important is the level or type of Sponsorship to the mission of City?
  - n. What is the level of support needed from the City or others to implement the Sponsorship arrangement?
  - o. Are there any other factors that might affect the overall appropriateness of the proposed Sponsorship?
3. Case by Case Basis. The City will consider proposed Sponsorship relationships on an individual, case-by-case basis, taking into consideration the factors set out in this section.
  4. Unconditional and non-exclusive. The Sponsorship cannot be made conditional on the City's performance. Sponsorships may not be exclusive; a Sponsorship shall not limit the City's ability to seek other Sponsors as

the City determines appropriate.

#### **E. Types of Recognition for Sponsorship.**

In return for Sponsorship, recognition of a Sponsor may be given by the City through City's use of various mediums, including newspaper, City website, video, radio and signage regarding Sponsor's role in the City's facility, event, program or service. Recognition of Sponsorships should generally conform to the following:

1. Sponsorships on City of College Station Parks and Recreation property are maintained as a nonpublic forum.
2. The City preserves its rights and discretion to exercise full editorial control over the placement, content, appearance, and wording of all Sponsorship recognition in all mediums.
3. The City may make distinctions on the appropriateness of Sponsorship on the basis of the nature and level of Sponsorship.
4. Determination of form of Recognition. The City Manager or his designee shall have the ultimate authority to determine what a permissible form of recognition of a Sponsorship is.
5. Acceptable Forms of Recognition. Typically, Sponsorship recognition messages should identify the Sponsor but contain little to no other additional information. Ordinarily, only the following content is appropriate:
  - a. The legally recognized name of the Sponsoring organization;
  - b. The Sponsor's organizational slogan if it merely identifies rather than promotes its products or services;
  - c. The Sponsor's product or service line, described in brief, generic, objective terms. Generally, only one product or service line may be identified;
  - d. Brief contact information for the Sponsor's organization, such as a phone number, address, or Internet website. Contact information should be stated in a manner that avoids an implication of urging the reader or listener to action.
  - e. The words "a paid sponsorship," or some like term, may be added to Sponsorship recognitions when, in the sole opinion of the City, the recognition might be confused with editorial matter or other content.
6. Unacceptable Forms of Recognition. The following types of recognition for Sponsorship may be prohibited by the City as incompatible with the City facility, event, program or service; the City's governmental purpose; contrary to community standards; or otherwise determined to be inappropriate, all in the sole discretion of the City:
  - a. Promotion of the sale or consumption of alcoholic or cereal malt beverages in name, likeness or implication, or promotion of establishments that are licensed for and primarily sell alcoholic or cereal malt beverages, including bars; provided, however,

restaurants or other food service establishments and hotels or other places of lodging may be authorized when the commercial message or advertisement promotes only the food service or lodging;

- b. Promotion of the sale or consumption of tobacco products or depiction of the use of tobacco products;
- c. Commentary, advocacy or promotion of issues, candidates, campaigns or organizations of a social, political, religious, or rhetorical nature;
- d. Promotion of gambling, para-mutual betting, or games of chance, in name, likeness or implication, or promotion of establishments providing such services or activities of a related or similar nature;
- e. Depiction in any form of nudity or semi-nudity, profanity, obscenity, or lewdness, or characterizations which suggest, depict or promote any such element or sexually oriented products, activities or materials;
- f. Promotion in any form of illegal drugs, illegal drug use or illegal drug materials, or characterizations which suggest or depict the promotion or glorification of any such products, activities or materials;
- g. Promotion of the use or sale of firearms, explosives or other weapons, or the depiction, suggestion or glorification of violence or acts of a violent nature;
- h. Use of language or descriptive material which taken in form and context is deemed to be unsuitable for and contrary to community standards of appropriateness for governmental or family publications;
- i. Use of words, language, representations or descriptive material of any kind having more than one meaning or connotation, one of which would otherwise be prohibited under this policy;
- j. Inclusion of materials, depictions, promotions or offerings which are the type prohibited by, or by their nature would violate, any postal restrictions or regulations of any federal, state, or local law, rule, or regulation;
- k. Direct promotions or endorsements of the organization, its products or services;
- l. Statements that advocate, contain price information such as an indication of associated savings or value, request a response, or contain comparative or qualitative descriptions of products, services or organizations;
- m. Recognition of any kind with respect to a City facility, event, program, service without the express authorization of the City, including use of City's name, marks, logo or other indicia suggesting affiliation with the City or City's facility, event, program or service.

## **F. Responsibilities of Sponsor.**

Sponsors shall be responsible for the following:

1. Procuring all necessary permissions to use photographs, trademarks, trade names, copyrighted material or any other legally protected property it provides to the City; and accurately representing the adequacy of required authorizations to use same and shall provide proof of such authorization upon request of the City.
2. Assumption of responsibility for all content of Sponsor recognition including text, photographs, representations, illustrations, sketches, maps, labels, trademarks or other copyrighted matter unless expressly agreed upon otherwise.
3. **Indemnifying, holding harmless, and defending the City, its officers, agents, and employees from and against any and all claims, losses, damages, causes of action, suits, and liability of every kind, including all expenses of litigation, court costs, and attorney's fees, for injury to or death of any person or for damage to any property arising out of or in connection with Sponsor's Sponsorship, including that the Sponsorship recognition infringes on any copyright, violates any right of privacy, or other personal or property right, constitutes libelous matter, plagiarism, unfair competition, unfair trade practice, infringement of trademarks, or other matter contrary to law or contains any formula or instructions injurious to the user of a Sponsor's product.**
4. Holding the City harmless for delays in publication or presentation of Sponsorship recognition in any event or for any reason, including acts of God, acts by any governmental or quasigovernmental entity, lack of funding, fire, flood, insurrection, riot, explosion, embargo, strikes whether legal or illegal, labor or material shortage, transportation interruption of any kind, work slowdown, or any condition beyond the control of the City affecting publication or presentation of recognition of Sponsorship in any manner.
5. Agreeing that if an error or omission should occur in the publication or placement of any Sponsorship recognition, the City's liability is limited to the amount of the reduction in the value of the Sponsorship due to the error or omission, and in no event shall liability exceed the total value of the Sponsorship, such as the cost payable for the Sponsorship space.

## **G. Responsibilities of City.**

The City shall be responsible for the following:

1. Use of Funds
  - a. All funds derived from Sponsorships shall be recorded, accounted for and used for the applicable City facility, program, event or service, and in accordance with applicable policies and procedures adopted by the City Finance Director for the budgeting and expenditure of funds.
  - b. All revenues received from Branding Rights will be deposited into the appropriate City fund. The City Council, as part of the City's annual budget process, may determine how funds collected for Branding Rights will be allocated.
  - c. The City shall track all Sponsorships, including amount, type, duration and other relevant information and as may be reasonably requested by the City's Finance Director.
  - d. The City may issue a written acknowledgement of each Sponsorship.
  - e. In light of the need for more government transparency, no Sponsor or donation may remain truly "anonymous" but only "unrecognized." That is, the City cannot guarantee anonymity of any gift or donation, but a Sponsor may choose to not be publicly recognized.
2. Conduct City Business. Nothing in this policy shall be interpreted to prohibit the conduct of special events by the City and its use and recognition of Sponsors, products, sales or prizes. Nothing herein prevents the City from engaging in any activity it determines necessary and or appropriate.
3. Implementation. This policy shall become effective upon adoption by the City Manager and shall thereafter apply to the acceptance and placement of Sponsorship messages as provided in this policy; provided, however, that Sponsorship messages which were made prior to the adoption of this policy shall not be considered in violation thereof, and to the extent possible shall be construed and completed, if necessary, in the manner most consistent with this policy.

#### **H. Sponsorship Payment.**

Sponsorships may vary in length, type and amount. This can be attributed to the nature of the facility, event, program or services being Sponsored and the type of Sponsorship involved. Generally the City should ensure that the benefit of sponsoring is maximized to be of most benefit to its citizens while balancing the nature of the benefit to be received from a Sponsor. While Sponsorships may need to be reviewed individually, the following general guidelines should apply:

1. Long-Term Sponsorships (>1 Year). For long-term Sponsorships

exceeding one year in length:

- a. The City requires a 50% deposit of the first annual payment. This deposit should be submitted with the signed Sponsorship agreement where applicable.
  - b. The remaining 50% for year one payment should be paid within thirty (30) days of execution of the Sponsorship agreement.
  - c. For each year thereafter, 100% of the annual payment should be received on the anniversary date of the Sponsorship agreement.
2. Short-Term Agreements (<1 Year). For short-term Sponsorships of one year or less the City typically requires full payment upon the approval of the Sponsorship.

### **I. Termination of Sponsorships.**

The City of College Station reserves the right to accept or reject any proposed Sponsorship. While every intention is to accept and fulfill all Sponsorship requests the City reserves the right to terminate a Sponsorship at any time if, in the City's sole discretion, continuation of the Sponsorship is determined not to be in the best interests of the City.

1. If the City elects to terminate a Sponsorship, any funds, unused materials or services, or other compensation received by the City prior to such termination will be refunded to the Sponsor, unless such termination is due to a material breach of a Sponsorship agreement by the Sponsor, in which case the City may retain all or a part of the compensation if the City determines that such is necessary to compensate the City for any losses incurred by the City due to such material breach.
2. The Sponsor reserves the right to withdraw a Sponsorship proposal at any time during the approval process.
3. The Sponsor may rescind a Sponsorship arrangement within thirty (30) days of entering into one. However, no refund will be given on any funds received by the City prior to receipt of the notification of withdrawal.

## **V. REQUESTS FOR CITY SPONSORSHIP BY OTHERS**

### **A. Policy.**

The continued long-term growth of City has brought about an increased demand for the use of City facilities, event, programs and services in the community. Since the City has limited resources, the City may from time to time determine it desirable and appropriate to grant requests for City Sponsorship of the facilities, events, programs and services of others. This section of the policy sets forth guidelines for requests from those outside the organization of the City.

This policy should be used to determine the basis for approval and/or denial of requests for support by outside entities and the extent to which support should be granted.

The City maintains absolute authority over the use of its funds and resources. Nothing in this policy obligates the City to expend City funds and/or resources whenever it determines a public purpose is not being served and anytime it determines it is in the best interest of the City to no longer be a Sponsor. The City retains its ability to cease or alter a Sponsorship relationship anytime it deems appropriate.

**B. Process.**

1. Requests. All requests for support should be reviewed by the appropriate Department Director and any other personnel or consultant determined relevant by such Director.
2. Form of Requests to be written. All groups requesting support from the City should be made in writing. Typically this will be done by filling out an application form.
3. Approval. Approvals should be in writing and depending on the amount and nature of the Sponsorship, a formal agreement may be entered into. The level of approval required is the same as for Sponsorship of City facilities, programs, services and events as set forth in Section IV.C.3/Level of approval above.

**C. Criteria for Sponsorship by City.**

There are many factors to consider in determining whether or not it is appropriate for the City to support an outside facility, event, program or service.

1. Below are criteria that should always be considered:
  - a. Whether the City has adequate funds and resources to consider Sponsorship. This may include considering outstanding commitments, the nature of the proposed Sponsorship and other relevant factors as determined by the City.
  - b. Generally, for the City to Sponsor a facility, event, program or service provided by a third party, the City should determine whether such third party has a purpose that is congruent with or complimentary to the governmental purpose of the City, including the City's public purpose, goals, mission and organizational philosophies.
  - c. The degree to which the outside organization operates locally or has a local impact.
  - d. The non-profit status of the outside organization, including whether it has provided proof that it is a non-profit 501(c)(3) organization or is recognized by the State of Texas as a non-profit organization.

- e. Whether the event is of general interest or relevance to City residents and the general public.
  - f. Whether a minimum of 40% of funds raised directly benefit the City.
2. Below are additional criteria that may be considered:
- a. Applicant has completed and complied with the application process.
  - b. Applicant demonstrates a need for City support.
  - c. Whether there is a history of City support relating to the request.
  - d. Whether the facility, event, program or service is reasonably not likely to cause injury to persons or property, create a disturbance, cause disorderly conduct, encourage or result in a violation of the law or to interfere with vehicular traffic in the area.
  - e. Whether the facility, event, program or service generates adequate positive media exposure for the City as determined by the City.
  - f. Whether a conflict exists with the request and other approved or previously scheduled matters.
  - g. Whether the City has the ability to meet the request, including whether it has facilities adequate and compatible to host a special event from an outside organization considering such things as parking, restrooms, refuse collection, sanitation and lighting.
  - h. Whether the result of City Sponsorship will cause a strain on City resources, including funding, facilities and personnel.
  - i. Whether the request will unreasonably interrupt the provision of City facilities, events, programs and services, including whether an event will affect the ability of a City park to remain open to users.
  - j. Whether due to weather, infrastructure requirements, repairs to City property and utilities, participant behavior, and other considerations involving the safety and general welfare for persons, property and good public order, the City Sponsorship will require additional conditions, dates, locations or time limitations.
3. Guidelines for Athletic Events or Tournament Services involving HOT funds. The City processes numerous requests for Sponsorships of athletic events or tournament services which require frequent review and coordination with others and that are unique to this form of Sponsorship. Because of this the City has developed specific guidelines for this. The current set of guidelines is attached hereto as Exhibit "A." These guidelines may be reviewed periodically with changes approved in writing by the City Manager.

## **VI. MISCELLANEOUS**

- A. Variance.** All Sponsorships should comply with the guidelines established by this policy.

The City Manager in his discretion may grant variances when he determines it is in keeping with the overall purpose and intent of this policy or when he determines such variance best serves the purposes and needs of the City and the general public unless City Council approval is required because of the value of the Sponsorship, in which case City Council may consider granting a variance using the same criteria.

**B. Appeal.** Disapproval of Sponsorships at the City Director level may be appealed within 30 days to the City Manager for reconsideration and whose decision shall be final. Disapproval of Sponsorships by the City Manager may be appealed to the City Council within 30 days for reconsideration and the decision by City Council shall be final.

**C. Verification.** Sponsors may be asked to verify in writing that they have read, understood and agree to abide by this policy.

**Approved:**

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City Manager Date

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Assistant City Manager/CFO Date

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City Attorney Date

## EXHIBIT “A”

### SPONSORSHIP OF ATHLETIC EVENTS AND TOURNAMENTS

The City receives numerous requests for Sponsorship of athletic events and tournaments that are eligible for City Sponsorship using Hotel Occupancy Tax (“HOT”) funds. When HOT funds may be expended on such athletic or tournament events, the following guidelines may be followed:

a. Division III Qualifications

0-39 Teams / 500 participants or less / 0-250 Rooms Nights

Complimentary Services:

- i. Meeting planning assistance
- ii. Visitor Guides & tear Sheet Maps for each Team
- iii. Ditty bags for each delegate
- iv. Room Block Assistance
- v. Facility Operations assistance

b. Division II Qualifications

40-90 Teams / 501 participants – 1,250 Participants / 251-500 Rooms Nights

Complimentary Services:

- i. Meeting Planning Assistance
- ii. Visitor Guides & Maps for each Team
- iii. Ditty bags for each delegate
- iv. Room Block Assistance
- v. Giveaway item for Event Staff
- vi. Registration assistance
- vii. HOT Grant application information
- viii. Facility Operations assistance
- ix. Volunteer Recruitment / Management assistance
- x. Rental of City operated facilities discounted up to 25%
- xi. Additional services as requested, pre-arranged and mutually agreed upon

c. Division I Qualifications

91+ Teams / 1,251+ Participants / 501+ Rooms Nights

Complimentary Services:

- i. Meeting Planning Assistance
- ii. Visitor Guides & tear Sheet Maps for each Team
- iii. Ditty bags for each delegate
- iv. Room Block Assistance
- v. Give away item for Event Staff

- vi. Registration assistance
- vii. Arrange for Welcome from local officials
- viii. Welcome Signs in Hotels, Restaurants and Local Business
- ix. Press Release & Blog entries
- x. Marketing to local citizens on Radio, TV, etc. to help with spectators attendance
- xi. One email out to Participants
- xii. Facility Operations assistance
- xiii. HOT Grant application information
- xiv. Volunteer Recruitment & Volunteer Management assistance
- xv. Rental of City operated facilities discounted up to 50%
- xvi. Event Medical and Security Assistance
- xvii. Additional services as requested, pre-arranged and mutually agreed upon.

## **City of College Station Parks and Recreation Department**

### **Activities, Programs, Facility Rental, Special Events, and Tournament City Support Application**

“In-Kind” requests for City of College Station Parks and Recreation Department Support/Sponsorship (staff, materials, waiver of fees, etc.) must be approved by the College Station Parks and Recreation Department. Persons must submit a College Station Parks and Recreation Department Activities, Programs, Facility Rental, Special Events, and Tournament City Support Application to request specific support for any In-Kind donation of space, labor or materials **at least 60 calendar days prior to the event**. All Applications will be evaluated and any In-Kind support will be awarded before the event. Applications may be obtained at the Administrative Office at Stephen C. Beachy Central Park or on the College Station website at [cstx.gov](http://cstx.gov). For more information, call 979-764-3486.

In addition to the Support Application (regardless of whether support is available or not), a Special Event Permit, if applicable, must be obtained from the City’s Planning and Development Services Department. A rental application, which can be obtained from the College Station Parks and Recreation Department, is also required along with the applicant’s insurance certificate as laid out in the rental agreement.

The College Station Parks and Recreation Department shall provide a complete review of all support request applications, including consultation with the applicants as may be reasonably necessary to resolve questions, at no charge to applicants. Applicants requesting support for events (which are extensive in nature) must provide a site plan of the event. Applicants whose events involve an entry fee, ticket, gate fee or any other exchange of funds by participants, spectators or sponsors are required to submit, with their application, a profit and loss estimate statement for the event. The College Station Parks and Recreation Department shall approve or deny the request and establish the level of College Station Parks and Recreation Department support and level of reimbursement required from the applicant for the program or event.

Events may be disapproved or cancelled at the sole discretion of the City due to weather, infrastructure requirements, repairs to park property and utilities, participant behavior, and other considerations of safety for persons, property and good public order. For the same reasons, City support may require additional conditions, dates, location or time limitations.

#### **Sponsorship/Support**

If support for an event is approved the College Station Parks and Recreation Department reserves the right to be listed as a sponsor of the event at the level of sponsorship determined by the value of the in-kind support as compared to other sponsors of the activity or event. The College Station Parks and Recreation Department logo is to be included on all printed materials and all visual advertising if required by the Department. The College Station Parks and Recreation Department logo will be provided by our Marketing Coordinator in the appropriate format.

**If your event intends to sell alcoholic beverages, contact the College Station Special Events Supervisor at 979-764-3486 or 979-764-3408 as early as possible.**



**City of College Station Parks and Recreation Department**

**Activities, Programs, Facility Rental, Special Events, and Tournament  
City Support Application**

**Event Information**

**Event Name:** \_\_\_\_\_

**Event Date(s) and Hours:** \_\_\_\_\_

**Event Location:**

List all activities associated with this program or event (include an event logistics plan and a clean-up plan; attach additional sheets as necessary):

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**Type of Event (check one):**  City Operated/Sponsored Event  City Co-sponsored Event

Non-Profit Event  For Profit Event  Private Event  Other: \_\_\_\_\_

**Event Purpose/Mission:**

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**Estimated Attendance:** \_\_\_\_\_

**Estimated set up time and date:** \_\_\_\_\_

**Sponsoring Organization Information**

Legal Business Name: \_\_\_\_\_

Tax ID Number: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Title: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Contact Person on the Day of the Event/Program: \_\_\_\_\_

Phone Number(s): \_\_\_\_\_

List of all Sponsors Associated with this Event: \_\_\_\_\_

**Support Information**

Exactly what type of support are you requesting? (Explain in detail below: labor, facilities, equipment, supplies, waiver of facility reservation fees,) Attach additional sheets as necessary.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What type of advertising will be used to promote this program/event?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Where has this program/event been held in the past?

Year: \_\_\_\_\_ Location: \_\_\_\_\_

Year: \_\_\_\_\_ Location: \_\_\_\_\_

By signature below applicant acknowledges having read, understood and agreeing to abide by the City of College Station Sponsorship Policy, dated \_\_\_\_\_.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# PARKS AND RECREATION DEPARTMENT SUPPORT POLICY CRITERIA WORKSHEET

## ACTIVITIES, PROGRAMS, FACILITY RENTALS, SPECIAL EVENTS, AND TOURNAMENTS

There may be other factors taken into consideration in determining whether or not an event is appropriate for any City of College Station support.

Due to weather, infrastructure requirements, repairs to park property and utilities, participant behavior, and other considerations of safety for persons, property and good public order, Parks and Recreation Department support may require additional conditions, dates, locations or time limitations. Items considered in the review process include, but are not limited to the follow criteria:

**Name of Event:** \_\_\_\_\_

**Date(s) of Event:** \_\_\_\_\_

Yes	No	<b>REQUIRED CRITERIA</b>
		Does the City have adequate funds and resources to consider sponsorship/support?
		Is the event in line with the mission statements, goals and the organizational philosophies of the City of College Station and the College Station Parks and Recreation Department?
		Does the applicant operate locally or have a local impact?
		Has the sponsored organization provided proof that it is a non-profit 501(c)(3) organization or is recognized by the State of Texas as a non-profit organization?
		Is the event of general interest or relevance to City residents and the general public?
		Do a Minimum of 40% of the Funds raised directly benefit the College Station Community?
Yes	No	<b>OTHER CRITERIA TO CONSIDER</b>
		Has the applicant completed and complied with the application process?
		Has the applicant demonstrated a need for City support?
		Is there a history of City support for the special event or similar events?
		Is the event reasonably NOT likely to cause injury to persons or property, create a disturbance, cause disorderly conduct, encourage or result in a violation of the law or to interfere with vehicular traffic in the area?
		Will the event generate positive media exposure for the community as determined by the City?
		Does NO conflict exist with the requested event and other approved or previously scheduled events?
		Are the requested support facilities adequate and compatible for the special event with the support including, but not limited to, parking, restrooms, refuse collection, sanitation and lighting?
		Will the event NOT cause a strain on City resources, including funding, facilities and personnel?
		Will the event NOT unreasonably interrupt the provision of City facilities, events, programs and services, including whether the event will affect the ability of a City park to remain open to users?





CITY OF COLLEGE STATION  
Home of Texas A&M University"  
(For City events, programs or services)

### SPONSORSHIP AGREEMENT

By and between  
THE CITY OF COLLEGE STATION, TEXAS  
And

\_\_\_\_\_

Whereas, the City of College Station, Texas ("City") has adopted the "City of College Station Sponsorships and Support Requests Policies and Procedures" policy ("Policy") setting forth guidelines for the sponsorship of City events, programs and services; and

Whereas, City will or is currently conducting a City event, program or service; and

Whereas, \_\_\_\_\_ ("Sponsor") desires to sponsor such event, program or service in the manner set forth herein; now therefore

**For and in consideration** of the terms and conditions set forth herein, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Event/program/service. The event, program or service which is the subject of this Agreement is as follows:

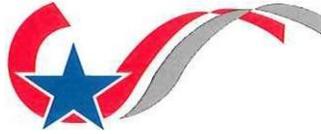
\_\_\_\_\_ (desc. & date(s))

2. Sponsorship. Sponsor agrees to sponsor the above-described event, program or service by being a(n) (check which apply)

- a. \_\_\_\_ Title Sponsor
- b. \_\_\_\_ Cash Sponsor in the amount of \_\_\_\_\_.
- c. \_\_\_\_ In-kind Sponsor through provision of the following service(s) or good(s):
  - i. \_\_\_\_\_
  - ii. \_\_\_\_\_
  - iii. \_\_\_\_\_

3. Recognition. In recognition of Sponsor's sponsorship set forth in this Agreement, City agrees to provide the following recognition:

- a. As set forth in the Policy for the type of Sponsor listed in Section 2 above.
- b. Additional remarks or benefits as follows:



CITY OF COLLEGE STATION  
*Home of Texas A&M University*

4. Compliance. Sponsor represents having read and understood the Policy, and agrees to abide by its terms unless expressly provided for otherwise in this Agreement. Sponsor agrees to adhere to all applicable rules and regulations, including safety rules.

5. Additional documents. The Policy is made a part of this Agreement and is incorporated by reference, and the terms used therein have the same meaning when used in this Agreement. Sponsor's application or other documentation, if any, shall be attached and made a part of this Agreement. In the event of a conflict, the provisions and information provided by City shall prevail over information provided by Sponsor; and the information dated later in time by the City shall prevail over earlier information provided by the City.

**6. Indemnification. Sponsor agrees to indemnify, hold harmless, and defend the City, its officers, agents, and employees from and against any and all claims, losses, damages, causes of action, suits, and liability of every kind, including all expenses of litigation, court costs, and attorney's fees, for injury to or death of any person or for damage to any property arising out of or in connection with Sponsor's Sponsorship, including that the Sponsorship recognition infringes on any copyright, violates any right of privacy, or other personal or property right, constitutes libelous matter, plagiarism, unfair competition, unfair trade practice, infringement of trademarks, or other matter contrary to law or contains any formula or instructions injurious to the user of a Sponsor's product.**

7. Miscellaneous. The laws of the State of Texas govern this Agreement and venue shall be in Brazos County, Texas. Waiver of one provision or on one occasion with respect to this Agreement does not constitute waiver of other provisions or on other occasions. If any provision of this Agreement should be held to be invalid or unenforceable, the validity and enforceability of the remaining provisions of this Agreement shall not be affected thereby. This Agreement may be amended only in writing by the parties hereto. This Agreement may not be assigned by a party without the written approval of the other. This Agreement does not and is not intended to confer any rights or remedies upon any person other than the parties.

This Agreement goes into effect upon the full execution hereof.

Sponsor:

City:

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

# CITY OF COLLEGE STATION

## NAMING OF CITY FACILITIES AND SUB-FACILITIES

*Approved May 24, 2012*

### **PURPOSE**

To establish uniform procedures and criteria for the naming of City-owned facilities and sub-facilities located in the City of College Station.

### **DEFINITIONS**

**Facility:** Major City-owned buildings, parks and trails built for permanent use.

**Sub-Facility:** Minor City-owned structures within a Major Facility, including but not limited to: swimming pools, pavilions, tennis courts, large water features, trail sections or meeting rooms.

### **POLICY**

The City Council shall have the authority to name City-owned facilities and sub-facilities according to the procedures and criteria established below.

#### **General Naming Criteria and Guidelines.**

In order to be considered a qualifying name, the proposed name for a facility or sub-facility must satisfy one of the following criteria:

- A. Be descriptive of a geographic location or a significant natural feature in or near the facility, or an adjoining subdivision, street, or school.
- B. Commemorate historical events, groups or individuals that remain of continued importance to the City, region, State, and/or Nation.
- C. Commemorate individuals who are deceased and have a history of exceptional community service or contributions to the facility's best interests and purposes, such as:
  - a. Involvement in a leadership role in civic organizations that are devoted to community improvement;
  - b. Assistance to the underprivileged, as well as people with physical or intellectual disabilities;
  - c. Active promotion of effective programs for youth or senior citizens within the community;
  - d. Active promotion of and organizing community events and activities that have enriched the quality of life within the community;
  - e. Active promotion of and directed efforts to improve the aesthetic appearance and environmental quality of the community; or

- f. Leading efforts to collect, promote and retain the historical heritage of the community.
- D. Commemorate individuals who made significant contributions to the City's acquisition or development of the facility.
  - a. If a facility is named to commemorate or honor an individual or group, the relative importance of the facility to be named after the individual or group should match the respective stature, characteristics and contributions. The following circumstances may be considered in naming of a facility after a donor, benefactor or group:
    - i. Land for the majority of the facility was deeded to the City;
    - ii. Contribution of a minimum of 50% of the capital construction costs associated with developing the facility; or
    - iii. Provision of an endowment for at least 50% of a facility's estimated useful life for the continued maintenance and/or programming of the facility.
  - b. The City Council may alter these guidelines if deemed necessary.
  - c. The City reserves the right to utilize criminal background checks as part of the vetting process in order to ascertain an honoree's good character.
- E. Recognize organizations involved in a public-private partnership with the City that have made significant financial or capital contributions to the acquisition or development of the facility. This includes any Naming Rights Agreement approved by City Council.
- F. Have historical, cultural, or social significance for future generations.
- G. Research indicates that the area around the facility, or the facility itself, has been commonly named in an unofficial capacity by residents.

**Restrictions on the Naming of Public Facilities and Sub-Facilities.**

- A. No duplication of other facility's or sub-facility's names To minimize confusion, facilities will not be subdivided beyond the level of sub-facilities for the purpose of naming unless there are readily identifiable physical divisions such as roads or waterways.
- B. Facility names that might be considered discriminatory or derogatory will not be considered.
- C. Facility names will not advocate for or promote a current political figure, political affiliation, ideology or religion.

## **PROCEDURE**

### **Guidelines for Naming Process**

#### ***Naming of Major Facilities***

- A. A permanent name for the facility should be finalized no later than the 50% completion mark in the construction or acquisition process.
  - a. Prior to the permanent naming of a facility, the location shall be referred to by its address or location designation until the facility is given an official name.
- B. The City will utilize a Council Facilities Task Force to facilitate the naming of facilities.
- C. The Council Facilities Task Force will proceed with the naming of a facility according to the following:
  - a. The facility naming process is initiated with the approval of the design, construction or acquisition of a facility.
  - b. The City Council may choose from a variety of sources for name recommendations (i.e. Council member, staff or donor recommendations, historical review of the site, recommendations from the Parks and Recreation Advisory Board, recommendations from previous owners, etc.). Names may be suggested by citizens and/or community groups by submission to the Mayor, City Council or City Manager.
  - c. Names may be submitted by the departmental owner of the facility, executive management, the Mayor or members of the City Council.
  - d. All names for City facilities will be approved by a majority City Council vote regardless of the source of the name's recommendation.

#### ***Naming of Sub-Facilities***

- A. All requests for the naming or renaming of a sub-facility shall be made in writing to the Director of Parks and Recreation for parks sub-facilities or to the City Manager for all other sub-facilities. Written requests should at a minimum contain the following:
  - a. The proposed name;
  - b. Reasons for the proposed name;
  - c. Written documentation indicating community support for the proposed name (if applicable);
  - d. If proposing to name a facility within a park, include a description/map showing the location of the facility; and
  - e. If proposing to name a facility after an individual, group, donor or benefactor, include documentation of that person or group's significance and good reputation in the City's, State's, or Nation's history. Please refer to the commemorative naming conditions for an individual found in this policy.
- B. Upon receipt, the Director of Parks and Recreation or the City Manager will:

- a. Review the proposed request for its adherence to the policies of the City of College Station and
  - b. Ensure that supporting information has been authenticated, particularly when an individual's name is proposed as the facility's or sub-facility's name.
- C. When deemed appropriate, the City Manager will recommend the Facilities Task Force review sub-facility renaming suggestions.
- D. The Facilities Task Force will review the sub-facility naming request at a Facilities Task Force meeting and make a recommendation to the City Council. In all cases, the City Council will have the final authority in accepting or rejecting the naming proposal by majority.

**Guidelines for Re-Naming Process.**

- A. The renaming of facilities or sub-facilities is discouraged. It is recommended that efforts to change a name be subject to a critical examination so as not to diminish the original justification for the name or discount the value of the prior contributors.
  - a. Parks or other facilities named by deed restriction shall not be considered for renaming.
  - b. Parks and facilities named after individuals shall not be renamed unless it is determined that the individual's personal character is or was such that the continued use of the name for a facility would not be in the best interest of the City or community. Exceptions may be considered in cases of changes in use of facilities or for facility demolitions.
- B. If it is decided by the City Manager that it is in the best interest of the City to rename a major or sub-facility, it may be renamed in accordance with the criteria and guidelines outlined in the procedures of this policy.

**Plaques, Markers and Memorials.**

- A. Plaques, markers and memorials may be incorporated into a facility or sub-facility during the design phase of the project. Plaques, markers, and memorials that are incorporated into the design of a facility will be subject to the same oversight and controls as applicable to the rest of the project.
- B. Plaques, markers, and memorials added to a facility or sub-facility after its completion and opening will be designed and installed according to the City's Dedication Plaque Policy.