



## Marketing Sponsorship Policy

CPR-1100

### POLICY STATEMENT

The policy of BPUB is to, when possible, participate and fund community, civic and industry events, ranging from festivals, fairs, and celebrations to sporting and cultural events, conferences, and expositions, that serve a public purpose of improving communication, promoting goodwill and enhancing BPUB's image. Sponsorships may include but are not limited to Civic Sponsorships, Community Sponsorships, Programs and Industry and Professional Sponsorships. BPUB encourages eligible non-profit organizations to apply.

### SPECIFIC ELIGIBILITY REQUIREMENTS

BPUB, as an agent of the City of Brownsville, may make an expenditure to a non-profit organization through a Sponsorship or Program without violating Article III, Section 52(a) and Article XI, Section 3 of the Texas Constitution, if the following requirements are met for the type of Sponsorship or Program: 1.) the predominant purpose of the expenditure is to accomplish a public purpose, and not to benefit private parties; 2.) BPUB retains public control over the funds to ensure the public purpose is accomplished and to protect the public's investment; and 3.) BPUB ensures that it receives a return benefit.

***Public Purpose.*** In order to constitute a public purpose, the expenditure must provide a benefit to the general public and promote public health, education, safety, morals, general welfare, security, prosperity and contentment. An expenditure serves a public purpose for BPUB if it is beneficial to the inhabitants of the BPUB Service Area, and is directly connected with BPUB's general mission, purpose, objectives, and goals. Examples include the following non-exclusive list:

- (a) Programs or Sponsorships that promote the safe and efficient use of water and electricity;



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- (b) Programs or Sponsorships that promote environmental education, preservation and conservation.
- (c) Programs or Sponsorships that promote education, including math, engineering, science and technology through internships, scholarships, mentoring and other similar sponsorships;
- (d) Programs or Sponsorships that are generally consistent with BPUB's mission, service, image, and overall marketing objectives and the outcome or outreach is quantifiable;
- (e) Programs or Sponsorships that promote good will for BPUB and enhances BPUB's public image.

The following non-exclusive list are general criteria for whether the expenditure is *predominantly* for a "public purpose:"

- (a) Whether the entity requesting a sponsorship is a non-profit organization that seeks to provide substantial assistance for individuals on a community-wide basis;
- (b) Whether the expenditure will be beneficial to the inhabitants of the community by improving the general health, safety, or public welfare.

Industry and Professional Sponsorships must serve a public purpose but are not required to have a direct impact on the BPUB service territory. All other sponsorships must serve a public purpose and benefit



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the whole populace in the BPUB service territory or a segment within it.

***Control over the Funds.*** BPUB will ensure that the funds are actually used to accomplish the public purpose as presented by the organization/entity requesting the sponsorship.

BPUB retains the right to seek reimbursement for any expenditures that are not used for the stated public purpose.

***Return Benefit.*** BPUB must receive a return benefit for the expenditure. The following non-exclusive list evidence a return benefit, which create good will in the community for BPUB:

- (a) If the expenditure is made for an event, BPUB's banner is to be placed in public view at the event in consideration of the expenditure.
- (b) If there is an agenda/program for the event, BPUB's assistance is to be acknowledged in print on the agenda/program.
- (c) BPUB's assistance is to be acknowledged verbally and publicly at some point during the event in consideration of the expenditure.
- (d) BPUB's assistance is to be acknowledged digitally or on social media.



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### DENIAL OF GRANTS OR DONATIONS/CONTRIBUTIONS

The BPUB does not make unconditional grants or donations of public money.

BPUB may require sponsors to:

- (a) Provide documentation, satisfactory to BPUB establishing that an entity applying for a contribution or Sponsorship is qualified as a nonprofit, tax-exempt organization under section 501 (c) of the Internal Revenue Code;
- (b) Provide documentation related to the purpose for the Program, Sponsorship or contribution;
- (c) Provide adequate assurance, at BPUB's request, that the expenditure is used for the stated purpose, including but not limited to, providing accountings and/or reports regarding utilization of any expenditures made by BPUB; and
- (d) Any other documentation requested by BPUB to consider the Sponsorship or contribution request.

In addition, all organizations may be required to sign a sponsorship agreement that puts limits on the type of images or messages used in advertising or promotions.

Civic/industry sponsorships shall not take up more than 35 percent of total sponsorship expenditures unless approved by the board.

The BPUB **does not** contribute to:

Any group not qualified as a nonprofit, tax-exempt organization under section 501 (c) of the Internal Revenue Code.



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Political candidates, political parties, political causes, propositions, candidates, or events.

Events depicting any form of violence, nudity, semi-nudity, profanity, obscenity, or lewdness or characterizations which suggest, depict, or promote any such element

Events promoting illegal activity or contrary to community standards.

Religious, fraternal, social, or recreational activities. Contributions may be made, however, to help fund qualified events sponsored by parochial schools so long as the event sponsored does not have a religious purpose.

### DEFINITIONS

Return Benefit - Whether BPUB has received something in return for the expenditure of the sponsorship or the expenditure serves a public purpose.

Civic Sponsorship - Eligible events held by governmental entities (i.e. the City of Brownsville, Cameron County, Brownsville Independent School District, etc.) that provide a return benefit to BPUB, serve a public purpose, and benefit the BPUB service area.

Community Sponsorship - Eligible programs, events and/or entities that provide a return benefit to BPUB and serve a public purpose that benefit the BPUB service area.

Event or Events – An event is an activity that serves a public purpose, is compatible with the purpose of this policy, and meets the eligibility requirements.



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Industry and Professional Sponsorships - Eligible professional association (i.e. APPA, TPPA, etc.) events, programs, or entities that provide a return benefit to BPUB and serve a public purpose, even if the public purpose is not one that has a direct impact on the BPUB service territory.

Program – an eligible program that provides a return benefit to BPUB and serves a public purpose that benefits the BPUB service area.

Sponsorship - A form of marketing in which a company pays for all or some of the costs associated with a project or program in exchange for recognition.

### REFERENCES

Marketing Sponsorship Procedure (CPR-1100-P)

### EFFECTIVE DATE

March 11, 2024