



## BPC Policy No. 771

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**SUBJECT:** TIDELANDS ACTIVATION PROGRAM

**PURPOSE:** The San Diego Unified Port District ("District"), through its Parks & Recreation Department, sponsors events and activities produced by a variety of organizations that activate District tidelands and support the District's mission.

The purpose of this policy is to define special event sponsorship program types, as authorized herein by the Board of Port Commissioners, that will support events and activities that promote the mission of the District, ensure balanced public access to District parks for everyone, bring people together to connect communities within the District's dynamic waterfront, and enhance the quality of life for the communities.

**POLICY STATEMENT:**

The District provides direct monetary funding ("Funding") and/or waivers for the cost of District Services associated with the use of District parks and facilities ("Waivers") for special events which meet the following criteria: (1) promote one or more of the District's mission areas; (2) are designed to attract the public to recreate on District tidelands; and (3) support educating the public about the District and its mission. Waivers may include, but are not limited to the waiving of: all or portions of fees for the use of District parks or facilities, including parking spaces; the cost of providing District personnel to evaluate, prepare, coordinate, and inspect events, as well as assist in attaining regulatory compliance and/or obtaining necessary entitlements as required by applicable law; the cost of District-provided materials or equipment to support a sponsored event; or any other agreed-upon services at a set amount. The public park permit fees established under Board Policy No. 452 may be waived in their entirety, or partially, for any special event that is sponsored by the District in accordance with the four sponsorship types described in this policy. All waivers of District charges for parking spaces shall be in accordance with the appropriate internal District Administrative Procedures and Guidelines.

**SPONSORSHIP CONDITIONS:**

Sponsorship cannot be used for political, or religious purposes; or where fundraising is the event's primary purpose. Event sponsorship is allocated yearly and should be considered a one-time resource. Re-occurring annual events should not rely on the District's sponsorship programs for year-over-year Funding and/or Waivers. Tariffs, berthing fees, damage deposits, inspection fees, and/or other regulatory fees are not eligible for Sponsorship. Applicant is responsible for securing a venue or site and any

required permit(s), approval(s), and/or permission(s). Qualifying for Sponsorship does not guarantee venue or dates requested.

## **SPONSORSHIP TYPES:**

District sponsorships under the Tidelands Activation Program are of four types:

a. **Community Events.**

Community Events must promote the District's mission and shall be held on tidelands or in areas under the District's jurisdiction. To increase public access, community events shall be open to all ages and must not require paid admission or participant registration fees. Sponsorship applications for these events will only be accepted from public entities, tax-exempt non-profit organizations with 501(c)(3) or 501(c)(6) status under the Internal Revenue Code, or other community organizations that promote the District's mission, subject to District approval. Community Events should be single-day activation events subject to limited exceptions.

Eligible qualifying events shall be granted Waivers by Port staff in an accordance with the criteria set forth in the District's Administrative Procedures. Waivers are awarded by fiscal year only, will not be carried into a future fiscal year, and are not guaranteed to be granted to the same event year-over-year. Community events are not eligible to receive Funding.

b. **Business Negotiated Events.**

Business Negotiated Events attract large numbers of people to the tidelands and generate significant-levels of positive financial impact, regional economic benefits, and awareness of the District. These events shall be held on District tidelands or in areas under the District's jurisdiction that seek to bring a unique and desirable experience or attraction to the waterfront. Business Negotiated events are eligible for Funding and/or Waivers in exchange for title sponsorship or similar acknowledgment. Business Negotiated Events may include a revenue-sharing component from the Event Organizer to the District. Funding allocations for Business Negotiated Events are established annually during the Board of Port Commissioners' budget approval process.

c. **Civic Events.**

Civic Events are community-focused events that are intended to appeal to a diverse population. These events must not require attendee admission or registration fees and must be open to people of all ages. Civic events may be held in conjunction with a national holiday or a seasonal celebration and often promote recreation, environmental stewardship, and/or recognize a community's heritage or identity. The events shall be held on District tidelands in a District member city or in areas under

the District's jurisdiction. The selection of Civic Events shall be determined by the Board of Port Commissioner(s) for that member city based on input and feedback received from District staff and the member city. Equal sponsorship Funding allocations for Civic Events shall be established annually during the Board of Port Commissioners' budget approval process. Civic Events are eligible for Funding and Waivers.

Funds are paid on a reimbursement basis only and will not be reimbursed without the documentation required under the agreement. Funding for Civic Events is awarded by fiscal year only; unallocated funds will not be carried into a future fiscal year.

d. **Expanded Access Events.**

Expanded Access Events are intended to activate tidelands parks that have historically been less activated than some other District parks and been under-utilized by the community. Expanded Access Events will proactively feature events designed to draw community members to these under-utilized parks. This program reaffirms the District's investment in each community and the events should appeal to a diverse population and feature the unique character of the selected public space. The District will provide Funding and/or Waivers to these events and will receive title sponsorship. Sponsorship Funding allocations and locations for Expanded Access Events will be established annually during the Board of Port Commissioners' budget approval process. District staff will work in consultation with community stakeholders to identify event type (festival, moving event, car show, etc.) and develop criteria to evaluate proposals. The District's Administrative Procedure will further explain the Expanded Access Events selection process.

1. **Budget**

The District's Parks & Recreation Department is responsible for budgeting all District sponsorships under this policy. Separate budget line items may be established for applicable Sponsorship Program Types as identified in Section 1.

The program's budget shall be allocated in accordance with the District's annual budget process and is included in the Parks & Recreation budget. All requests to be considered for sponsorship under any Sponsorship Program Type shall be submitted in writing to the department Director.

2. **Application/Proposal Guidelines**

All requests for sponsorship from the District shall be submitted to the Director of Parks & Recreation. Sponsorship applications and proposals shall be submitted in accordance with an annual timeline and the guidelines implemented by the Director of Parks & Recreation as outlined in the Administrative Procedure for the

applicable Sponsorship Type.

### 3. Application/Proposal Eligibility Criteria

- a. **Community Event sponsorship** applications/event proposals will be evaluated using the following criteria:
  - i. Applicant is a public entity, tax-exempt non-profit organization under section 501(c)(3) or 501(c)(6) of the Internal Revenue Code with proof of good standing with the Secretary of State and the Attorney General at the time of application, or community organization that promotes the District's mission.
  - ii. Event must be free to the public and open to all ages.
  - iii. Events must occur on District tidelands. For moving events with no single fixed location, such as runs, walks, and bike rides, at least a portion of the event must occur on District tidelands and that portion occurring on District tidelands must include a majority of the participants in the event (e.g. the beginning or finish line of a race).
  - iv. Additional criteria may be identified in the District's Administrative Procedure.
- b. **Business Negotiated Event sponsorship** applications/event proposals will be evaluated using the following criteria:
  - i. Event's ability to generate significant levels of positive financial impact, regional economic benefits, and awareness of the District based on documented past, and/or estimated future, economic impact, and financial return to the District.
  - ii. Events must occur on District tidelands. For moving events with no single fixed location, such as runs, walks, and bike rides, at least a portion of the event must occur on District tidelands and that portion occurring on District tidelands must include a majority of the participants in the event (e.g. the beginning or finish line of a race).
  - iii. Additional criteria may be identified in the District's Administrative Procedure.
- c. **Civic Event sponsorship** applications/event proposals will be evaluated using the following criteria:
  - i. The selection of Civic Events shall be determined by the Port Commissioner(s) in that member city based on input and feedback they receive from District staff and the member city.

- ii. Applicant is a public entity or a tax-exempt non-profit organization under section 501(c)(3) or 501(c)(6) of the Internal Revenue Code with proof of good standing with the Secretary of State and the Attorney General at the time of application.
  - iii. Event must be free to the public and open to all ages.
  - iv. Events must occur on District tidelands. For moving events with no single fixed location, such as runs, walks, and bike rides, at least a portion of the event must occur on District tidelands and that portion occurring on District tidelands must include a majority of the participants in the event (e.g. the beginning or finish line of a race).
  - v. Additional criteria may be identified in the District's Administrative Procedure.
- d. **Expanded Access Event sponsorship** applications/event proposals will be evaluated using the following criteria:
  - i. These events will be selected by District staff in consultation with the community stakeholders and Port Commissioners of those cities, in accordance with the criteria outlined in the District's Administrative Procedures.
  - ii. Events should build awareness of the District's investment in communities where event occurs.
  - iii. Events must occur in parks on District tidelands.
  - iv. Additional criteria may be identified in the District's Administrative Procedure.

#### **4. Application/Proposal Review and Evaluation Procedures**

Applications and proposals shall be reviewed and evaluated using the processes outlined in the Administrative Procedures for the applicable Sponsorship Type.

#### **5. Agreement Procedures**

Following approval of a sponsorship, the District and the sponsorship recipient will enter into an agreement and/or permit terms sheet that provides the obligations of both parties as they relate to the District's sponsorship of the event or activity. All sponsored events or activities shall secure all permits, permissions, entitlements, and other agreements required to lawfully conduct the event or activity, including, without limitation, District-issued permits. Sponsorship shall be contingent upon securing the required permits.

RESOLUTION NUMBER AND DATE: 2023-036, dated April 11, 2023 (Supersedes BPC Policy No. 771, Resolution 2018-024, dated January 9, 2018; Resolution 2016-09, dated January 12, 2016; Resolution 2014-106, dated May 6, 2014)