



BPC Policy No. 771

SUBJECT: TIDELANDS ACTIVATION PROGRAM

PURPOSE:

~~To establish a policy for sponsorships granted under the Tidelands Activation Program and the role of the Tidelands Activation Program Advisory Committee, in support of events and activities that promote the mission of the San Diego Unified Port District and activate the tidelands.~~

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.

~~To support and carry out its mission, the District's Parks & Recreation Department sponsors events and activities produced by a variety of organizations under the Tidelands Activation Program.~~

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 ~~two~~ **four** types:

- a. **Community Events Sponsorship.** ~~The District provides funding and/or services for events that promote one or more of the District's mission areas, with an emphasis on attracting the public to District tidelands to recreate; and on educating the public regarding the District and its mission.~~ 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 or a tax-exempt non-profit organization with 501(c)(3) or 501(c)(6) status under the Internal Revenue Code. 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. ~~Signature Event Sponsorships.~~ **Business Negotiated Events.** ~~The District provides funding and/or District services to major public events that give title sponsorship or similarly valuable consideration to the District,~~ Business Negotiated Events attract large numbers of people to the tidelands and generate significant, ~~documented~~ levels of positive financial impact, ~~awareness,~~ and/or ~~promotional return to the~~ 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.

~~District services 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 prepare, coordinate, conduct, and evaluate an~~

~~event, as well as assist in regulatory compliance and obtaining necessary entitlements as required by applicable law; providing District equipment for an event; or other agreed upon services at a set amount based upon the cost of the District services provided or negotiated not to exceed amounts. All waivers of District charges for parking spaces shall be in accordance with the appropriate internal District administrative procedures and guidelines.~~

1. Budget

The District's Parks & Recreation Department is responsible for budgeting all District sponsorships under this policy ~~the Tidelands Activation Program~~. Separate budget line items may be established for applicable Sponsorship Program Types as identified in Section 1. ~~Community Event Sponsorships and Signature Event Sponsorships.~~

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 ~~the Tidelands Activation Program~~ 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. ~~The following sets out guidelines for submitting an application.~~

3. Application/Proposal Eligibility Criteria

~~Sponsorship applications shall be submitted in accordance with an annual timeline and application guidelines implemented by the Director of Parks & Recreation.~~

~~To be eligible for a sponsorship, an event should 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). If a proposed event will not occur on District tidelands, the applicant must show how the proposed event meets the criteria set forth herein.~~

- a. **Community Event sponsorship** applications/event proposals will be evaluated using the following criteria:
- i. 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.
 - 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 Evaluation **Criteria – Community**

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

- ~~a. Number of people the event will attract to District tidelands considering the area utilized, the nature of the event, and the affected community.~~
- ~~b. Ability of the event to address one or more of the following activation, community engagement, and education areas:~~
 - ~~• Attract diverse visitors and demographics to District tidelands.~~
 - ~~• Foster relationships between the District and its stakeholders in the region and community.~~
 - ~~• Provide a desirable attraction that is rare or unique to District tidelands, parks, or facilities.~~
 - ~~• Provide the District with opportunities to educate the public and its stakeholders; promote one or more of its mission areas; attract attention~~

~~to future economic activities and opportunities on the District tidelands; and activate its parks, the waterfront, and San Diego Bay through community engagement and/or public awareness.~~

- ~~• Become self-sustaining through broad support and sustainable funding.~~

- ~~c. Ability and methods used to measure the event's attendance and support.~~
- ~~d. Percentage of the event's budget that is being requested from the District including both District funding and services.~~
- ~~e. Projected impacts of the event, positive and negative, on District tenant businesses and the surrounding community, including displacement of parking, traffic, and pedestrian circulation; noise; and concessions that compete with local businesses.~~

5. Evaluation Criteria – Signature

~~Signature Event Sponsorship applications will be evaluated using the following criteria:~~

- ~~a. Number of people the event will attract to District tidelands considering the area utilized, the nature of the event and the affected community.~~
- ~~b. Documented past and expected future economic impact and financial return to the District. For Signature Events Sponsorships, the District, at its sole discretion, may conduct an audit and/or require, at the applicant's sole cost and expense, a post-event economic impact analysis using a scope and methodology approved by the District as a condition of receiving funding and/or District services.~~
- ~~c. Expected value of the event for the District and the creative economy through park and tidelands activation, community engagement, attendee participation, and public and stakeholder awareness.~~
- ~~d. Ability of the event to:

 - ~~• Attract diverse visitors and demographics to District tidelands.~~
 - ~~• Foster relationships between the District and its stakeholders in the region and community.~~
 - ~~• Become self-sustaining.~~
 - ~~• Grow in numbers.~~~~
- ~~e. Percentage of the event's budget that is being requested from the District including both District funding and services.~~

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.

6. ~~Application Procedures~~

Applications shall be reviewed and evaluated using the following process:

- ~~a. District staff shall review each application and prepare preliminary recommendations for funding and/or District services. In conducting its reviews of sponsorship applications, staff shall identify any potentially impacted parties, including government or resource agencies, community organizations, and District tenants, to determine the nature and extent of any impacts of the proposed event or activity.~~
- ~~b. The Tidelands Activation Program Advisory Committee appointed by the Board of Port Commissioners (BPC) shall review District staff recommendations and make its recommendations for funding and/or District services for each application.~~
- ~~c. District staff shall finalize its recommendations for BPC consideration.~~

7. ~~Agreement Procedures~~

~~Following approval of a sponsorship by the BPC, the District and the sponsorship recipient will enter into an agreement that sets out the obligations of both parties as they relate to the District's sponsorship of the event or activity. The District shall execute single-year agreements with the recipients of sponsorships except as addressed below.~~

- ~~8. Signature Event Sponsorship recipients shall have the option of a multi-year agreements for terms of up to three years. District staff reserves the right to not recommend such an agreement for a Signature Event but shall put forth the reasons to the sponsorship recipient and the BPC. In developing its~~

~~recommendation, District staff shall consider the event's history with respect to its economic, financial, and/or promotional impact as a District-sponsored or previously non-sponsored event. District funding and/or services for the second and third years of a multi-year agreement are contingent on the fulfillment of the sponsorship recipient's obligations to the District in the previous year, as well as the approval of the budget for the event by the BPC in each year. The recipients of multi-year agreements will be required to provide reports of the results of their events as determined by the District but will not be required to reapply to the Tidelands Activation Program for years two and three, potentially reducing administrative costs to the District and the event sponsor, and providing other potential benefits.~~

9. ~~Tidelands Activation Program Advisory Committee~~

- ~~a. The Tidelands Activation Program Advisory Committee (TAPAC) shall be appointed annually to review District staff recommendations and make its recommendations for funding and/or District services for each application.~~
- ~~b. The TAPAC shall consist of a non-voting Chair, a non-voting Alternate Chair, seven at-large voting members, and six non-voting advisory members representing the San Diego Port Tenants Association and each of the five District member cities.~~
- ~~c. The TAPAC shall be appointed by the Chair of the BPC during the calendar year in which the TAPAC will review sponsorship applications. The TAPAC Chair and Alternate Chair positions may be filled by Port Commissioners.~~
- ~~d. The San Diego Port Tenants Association representative shall be designated by the Executive Director of the San Diego Port Tenants Association or his or her designee.~~
- ~~e. The District member city representatives shall be recommended by city staff.~~
- ~~f. A quorum will consist of the TAPAC Chair or Alternate Chair and a majority of the at-large members.~~

RESOLUTION NUMBER AND DATE: Resolution 2021-024, dated March 9, 2021 (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) [Resolution 2023-XXX, dated April 11, 2023.](#)