

## **City Council Public Private Contribution Policy**

### **Background**

The City of Upper Arlington has a tradition of creative and innovative solutions that sustain ongoing services for our residents: the City continues to look for ways in which Public-Private Partnerships provide funding and assistance to support the City and enhance our community.

### **Policy**

This policy is to be used when a private entity request support which includes any of the following; monetary, services, or property, from the City for a project or service that will benefit the City and its residents under the public- private partnership guidelines. The City's policies for accepting sponsorships and gifts, and naming public properties may also be used in conjunction with this policy.

### **General Provisions**

1. This Policy is intended to establish a framework so that the City Manager or City Council may properly consider and address the different economic, procedural, and legal issues that may be associated with a donation or sponsor solicitation and recognition, including those related to City-related foundations.
2. The public purpose of the request for donation shall be identified by the requestor.
3. Public purpose means the activity or project will benefit the community as a body.
4. The activity or project does not have as its primary objective the benefit of the requesting entity.
5. The objectives should benefit the City's residents under the public safety, health, general welfare, security, prosperity, or contentment of the community.
6. Council shall document by resolution the reasonable findings of the Council in its determination that the expenditure of funds, property, or services is a valid public purpose pursuant to this policy.
7. Every entity requiring contribution shall establish by application and a finding of the following shall be made:
  - Whether the expenditure of funds, services, or property benefits the community as a whole.
  - Whether the expenditure of funds, services, or property relates to the functions of government.

### **Guidelines For Assessing City's Participation if Public Purpose is met:**

1. Goal of the donation
2. Timeframe for the program or project
3. Target audience
4. It addresses a City priority, strategy or project
5. Procedure for acceptance and reporting of the private public partnership
6. Capital costs by City shall be identified
7. On-going maintenance costs shall be identified
8. On-going operational costs shall be identified
9. Potential liability that the City may assume by accepting and participating in the partnership
10. Financial ability of the requestor if some of these costs are not covered by the donations
11. City's ability or willingness to fund any uncovered costs as set forth in these guidelines
12. City will consider the timeline for current or future City projects related to this request
13. City will consider whether the request addresses an infrastructure need at a particular location



### **Application Process:**

- The requestor shall submit an application to the City Manager for new or renewed funding requests setting forth the need for City participation.
- The requestor shall state the amount of financial support needed from the City or what City property the requestor needs for the project.
- Identify infrastructure improvement needs for the project and whether these improvements will benefit the City.
- The City Manager shall review the application and determine if the participation fall under the City Manager grant authority.
- If the request falls under the grant authority, the City Manager shall review under this policy and make a determination of support.
- If the request exceeds the grant authority, the City Manager shall review the application to determine if the elements of the policy have been met.
- If the elements of the policy have been met, the request shall be forwarded to City Council for determination.
- Forwarding the request to Council does not mean automatic approval.
- If Council determines to award the request, Council shall by resolution set forth the amount and limitations as well as the findings as set forth under the General Provisions.
- The City Manager may waive the application process if it is determined that the request is de minimis in nature and satisfies the public purpose requirement.
- The City Manager is authorized to amend the application consistent with this policy if determined the application requires additional questions or clarifications in order to better assess the request.

### **Disclaimer**

1. Different forms of contributions to the City present different opportunities and challenges. Therefore, it is not possible to establish a blanket policy to cover every partnership project that the City may decide to pursue.
2. Unless stated otherwise, the City does not modify or change the non-public forum status of any City Property by providing any donor recognition on City property.
3. The making of a donation to support a project will not provide any extra consideration to the requestor in relation to any City procurement, any regulatory activities.
4. Nothing in the policy shall obligate the City to accept a partnership from any requestor.
5. All City funds or property used for the project shall be properly documented.
6. The City shall comply with all ethics laws regarding public private partnerships.
7. For large capital projects the City shall require an assessment of City's infrastructure costs prior to approving any donation.

**ADOPTED: March 25, 2019**



K. Brenhill  
President of Council

ATTEST: Ashley M. Ellrod  
City Clerk

I, Ashley Ellrod, Clerk of Upper Arlington, Ohio, do hereby certify that the above is a true and correct copy.

Ashley M. Ellrod  
City Clerk

I, Ashley Ellrod, Clerk of the City of Upper Arlington, Ohio, do hereby certify that publication of the foregoing was made by posting a true copy of the Public Private Contribution Policy at the most public place in said corporation as determined by the Council, the Municipal Building, 3600 Tremont Road, for a period of ten (10) days commencing March 26, 2019.

Ashley M. Ellrod  
City Clerk of the City of Upper Arlington

Vote Slip  
Date Introduced: March 25, 2019  
Legal Ad:  
Newspaper:  
Reading Date(s): March 25, 2019  
Voting Aye: Unanimous  
Voting Nay:  
Abstain:  
Absent  
Date of Adoption: March 25, 2019  
City Council Conference Session/Other Review: March 18, 2019  
Other: Effective Upon Adoption



## APPLICATION FOR ASSISTANCE FOR PROJECT/PROGRAM

**Prior to submission, please read the attached Policy for public private projects/programs where there is a request for financial or other assistance from the City. Application is reviewed under the Policy adopted by City Council on March 25, 2019. This application is intended to apply to multiple requests, if a question does not apply to your request, please insert N/A.**

1. Provide a description of the project/program. Include all elements of the project, including diagrams, City property use:
2. Identify how the project/program will serve a public purpose for the community as a whole:
3. Detail how the proposed project qualifies under the City's standards and guidelines, including but not limited to:
  - a) Whether the project relates to the functions of the government.
  - b) Objectives that benefit the public safety, health or general welfare.
4. Describe the amount of funding needed from the City and the purpose of the funding. If the request involves a need for City property, please describe the property needed from the City and the purpose.

Detail how this request meets these threshold criteria:

5. Describe the infrastructure improvements needed for the project.
6. Describe how the infrastructure improvements needed for the project will benefit the City of Upper Arlington:
7. What are the on-going maintenance costs related to the project?
8. What are the on-going operational costs related to the project?
9. Provide a funding outline for the project. Include estimations of private funds and what the public funding expectation is for this project:



10. Will there be sponsorships or naming rights? If yes, please refer to City Council’s sponsorship and naming policy:

11. Provide a timeline for the project:

Name of person or entity submitted application: \_\_\_\_\_

Contact information: \_\_\_\_\_

Signature and date: \_\_\_\_\_

**Application Tracking (For Internal Use Only):**

Date application received by City Manager’s Office: \_\_\_\_\_  
 (Applications will only be forwarded to Council if criteria is met)

City Manager Determination:  Approved/recommended for implementation under City Manager grant authority.

Date: \_\_\_\_\_  Not recommended

Date of Council Conference Session forwarded for consideration: \_\_\_\_\_

City Council vote (check one): Forward application to Ad Hoc Committee:

Take no further action on the request:

Act on the Recommendation by passing an ordinance/resolution

If referred to Ad Hoc Committee:

Date of Ad Hoc Committee recommendation (within 90 days of referral): \_\_\_\_\_

Date of City Council consideration of ad hoc committee’s recommendation: \_\_\_\_\_

City Council vote on ad hoc committee recommendation: \_\_\_\_\_

Approve the application and direct the City Manager and City Attorney to initiate the necessary legislation : \_\_\_\_\_

Not approve the application: \_\_\_\_\_

**\*\*\*Per City Council’s Policy, approved applications must be kept on file with the City Clerk’s Office permanently\*\*\***

