



TITLE:
Requests for Services, Facilities, Sponsorships, Support, Contributions & Donations Policy
ADOPTED BY BOARD OF HARBOR COMMISSIONERS:
August 5, 2014
EFFECTIVE DATE:
This Administrative Policy is effective upon approval by the Board of Harbor Commissioners.
SUPERSESSION:
This policy supersedes Administrative Policy # 603.
PURPOSE:
<p>The purpose of this Administrative Policy is to promulgate guidelines to be followed when considering requests received by the District for services, facilities, sponsorships, support, contributions and donations.</p> <p>As a public agency, the Oxnard Harbor District is subject to the California Harbors & Navigation Code as well as California constitutional and statutory requirements governing the use and expenditure of public monies. The District may receive requests from community and political organizations and individuals for services, facilities, funds or goods in the form of sponsorships, support, contributions, donations, and other similar forms. These requests must be considered within the scope of the California Harbors & Navigation Code, which stipulates allowable functions and powers of the District and the applicable constitutional and statutory requirements.</p>
POLICY:
<p>1. <u>References:</u></p> <ul style="list-style-type: none">a. Harbors & Navigation Code, sections 6077.4 and 6078, District Powersb. California Constitution Art. XVI, section 6, Gift of Public Fundsc. Government Code, sections 81000-91015, Political Reform Actd. Government Code, section 6250 et seq., Public Records Acte. 2 CCR, section 18100 et seq., Political Reformf. Resolution No. 546 of the Board of Harbor Commissioners, Conflicts of Interest <p>2. <u>General:</u> The District "may manage the business of the district and promote the maritime and commercial interests by proper advertisement of its advantages and by the solicitation of business within or without the district, within other States or in foreign countries, through such employees or agencies as are expedient" (Harbors & Navigation Code, section 6077.4).</p>



The District's "board may do all other acts necessary and convenient for the full exercise of its powers" (Harbors & Navigation Code, section 6078).

In accordance with the California Harbors & Navigation Code and the State's constitutional and statutory requirements:

- a. the District cannot make gifts of public funds,
- b. the District cannot participate, advance or fund any political election, whether affecting public offices or public issues,
- c. the District cannot spend money in furtherance of a Board of Harbor Commissioners candidate's campaign for election or reelection, including but not limited to, statements, pictures, advertisements, or communications or other forms of electioneering at any time prior to, during or after an election, and during a Commissioner's term in office,
- d. the District cannot expend labor, money or material on any project, property or other asset or undertaking where a Board member has or may have any vested interest in the project, property or asset, or in the outcome of the undertaking, and
- e. the District cannot expend labor, money or material on any publicity, meals, attendance, program, public or private affair, convention, travel or entertainment that is not strictly in keeping with promoting the maritime and commercial advantages of the Port of Hueneme/Oxnard Harbor District and soliciting business for the Port or Port enterprises.

3. Examples of Permitted and Non Permitted Activities:

- a. Buying advertising space, billboards, public relations or similar expenditures to promote the Board or management to the general public is not permissible.
- b. Buying advertising space, billboards, public relations or similar expenditures to promote the District and its Port related business at appropriate, commercial trade shows, import-export meetings or conventions and directed to potential port users is permissible.
- c. Spending funds to place photographs of Board members in newspapers of general circulation with a legitimate Port related business purpose is permissible.
- d. Spending funds to place photographs of the Port area and facilities in appropriate trade journals and general education advertising is permissible.
- e. Subsidizing charitable, general educational or social programs that are unlikely to result in business for the Port is not permissible.
- f. Subsidizing business and trade shows that could potentially result in business for the Port is permissible.

4. Procedures: All requests for services, facilities, sponsorships, support, contributions and donations shall be in writing and must contain the requested dollar amount, event/publication date and adequate description, as applicable. The District must receive the request no less than one month prior to the event/publication date. The Board of Harbor Commissioners may grant an exception to these requirements.

The CEO & Port Director shall review the request for compliance with the Harbors & Navigation Code and constitutional and statutory requirements and shall consult the District's legal counsel as appropriate.



RELATED POLICIES AND PROCEDURES:
None.
DEFINITIONS:
None.