

Late Backup

Pool Amendment #4 Substitute: Maintaining Control Over Public Infrastructure

Rationale:

The term sheet indicates that the City would agree to help brand public infrastructure with MLS and sponsors' logos, including on "sidewalks, lighting and signage structures, manhole covers, fire hydrants, etc."

I have concerns about establishing a special agreement broadly requiring the City to cooperate in allowing a private company to monetize basic public infrastructure without proper checks and balances. Additionally, I believe such a broad agreement poses risks to the City. For instance, one of the Columbus Crew's current sponsors, Papa John's, recently faced public backlash regarding statements their chairman made.

The original amendment struck the branding provision in its entirety. However, PSV indicated that they are not amenable to that amendment, as written, because the site has limited roadway frontage and they would like to have more visibility for sponsorship and branding purposes.

To address the concerns over public infrastructure while still accounting for PSV's desire for visibility, the substitute amendment retains the existing branding language, but tightens it to:

- Include the condition that the City agrees to cooperate "reasonably" with StadiumCo in securing the necessary approvals;
- Remove references to infrastructure that have limited connection to visibility (manhole covers and fire hydrants); and
- Provide for review and comment by the City's Equity Office during the approvals process.

Amendment Language:

Amend page 17 of the term sheet as follows:

StadiumCo desires the ability to place or construct certain Club, Stadium and MLS logos, decals, markings, and emblems on certain of the improvements on City-owned public infrastructure in and around the Site (such as, for example, placing a Club logo on certain structures and on sidewalks, lighting and signage structures, ~~manhole covers, fire hydrants, etc.~~). The City agrees to cooperate reasonably with StadiumCo to secure for StadiumCo any and all permits, licenses and approvals necessary to allow such logos, decals, markings, and emblems on the surrounding City-owned public infrastructure (which shall include review and comment by the City's Equity Office), it being understood that such materials may include branding from Club sponsors (e.g., naming rights partner or jersey sponsor).