

# REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
18	12/09/13	Open	Action	11/21/13

Subject: Policy for Banners on Regional Transit Owned Bridges

## ISSUE

Whether or not to adopt a policy for banners on Regional Transit owned bridges.

## RECOMMENDED ACTION

Adopt Resolution No. 13-12-\_\_\_\_, Adopting a Policy Governing Banners on Regional Transit Owned Bridges.

## FISCAL IMPACT

None as a result of this action; however, if adopted, RT staff may impose a fee for the processing of applications and for the installation, maintenance, and removal of all banners. The fee will be based on RT's actual costs incurred administering the program. Revenues received from this service will be classified as Other Revenues in the period earned.

## DISCUSSION

Over the last few years, Regional Transit (RT) staff has installed a banner on the Sunrise Blvd. rail bridge on behalf of the City of Rancho Cordova, advertising the City's 4<sup>th</sup> of July celebration. With the number of RT bridges becoming more significant, staff is recommending that the RT Board adopt a policy governing the installation of temporary banners on RT owned bridges by RT member and participating agencies ("Member Agencies").

Staff spoke with the City of Sacramento staff and the County of Sacramento staff to discuss policies, processes, and permitting of banners within those jurisdictions. In addition, RT staff is reaching out to Board Member Agency staff to explain the details of our proposed program.

Staff is proposing that RT use the bridges to hang banners for events sponsored by RT and to allow RT Member Agencies to sponsor banners for events supported by those jurisdictions. Staff further proposes banners be installed for a maximum period of 30 days. If the Board approves this policy, staff will develop specific banner construction and size requirements for each of the RT bridges.

All messages and banners will conform to previously adopted policies on content for advertising.

Key highlights of the proposed program:

- Establishes guidelines for the installation of banners on RT-owned bridges
- Establishes sponsoring arrangement for member agencies
- Creates a process scheduling and approval of banner(s)

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Approved:

Presented:

Final 12/04/13

General Manager/CEO

Chief of Facilities and Business Support Services

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Subject: Policy for Banners on Regional Transit Owned Bridges

- Allows RT to recapture costs of installation
- Provides for a annual Board report on usage and a program review every 5 years.

At a future date, staff will propose a policy on art work and digital signs on RT bridges.

RESOLUTION NO. 13-12-\_\_\_\_\_

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

December 9, 2013

**ADOPTING A POLICY GOVERNING BANNERS ON REGIONAL TRANSIT OWNED BRIDGES**

BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the policy governing banners on Regional Transit owned bridges, as set forth in Exhibit A, is hereby approved.

\_\_\_\_\_  
PATRICK HUME, Chair

A T T E S T:

MICHAEL R. WILEY, Secretary

By: \_\_\_\_\_  
Cindy Brooks, Assistant Secretary

**EXHIBIT A  
BANNER POLICY  
ON SACRAMENTO REGIONAL TRANSIT DISTRICT-OWNED  
BRIDGES  
December 9, 2013**

**I. Introduction**

The purpose of this Policy for Banners on Sacramento Regional Transit District (“RT”)-Owned Bridges (“Policy”) is to establish guidelines for the installation of banners announcing community events sponsored by RT member agencies, as defined in Article III.a. below. This Policy establishes the parameters for the installation of banners on RT-owned bridges, including specifying the parties eligible to display a banner, the types of issues that can or cannot be addressed in the banners, the duration the sign may be displayed, and reimbursement for installation costs.

This Policy is subject to and must be in compliance with relevant provisions of State and Federal law and all applicable existing RT policies, objectives, and guidelines, including RT’s Policy Pertaining to Advertising on RT Facilities and Vehicles. In adopting this Policy, it is RT’s declared intent and purpose to not permit the installation of any banner that individually or in combination with other banners would cause any real or personal property owned or controlled by RT to become a public forum for the dissemination, debate, and/or discussion of public issues.

**II. Banner Policy Objectives**

The primary objectives of this Policy are to:

- Establish guidelines for the installation of banners on RT-owned bridges that announce city/county sponsored community events; and
- Serve as a guide to raise awareness among Board Members and their appointing entities of the potential use of bridges to temporarily display banners announcing city/county sponsored community events.

**III. Scope and Authority**

This Policy governs the parties eligible to post a banner, eligible announcement subjects, banner installation, and the management of banners installed on RT-owned bridges.

- a. **Eligible Participants.** The use of RT-owned bridges for the installation of banners is restricted to RT and the member and participating agencies (“Eligible Agency” or “Eligible Agencies”) of RT that are sponsoring a community event as described in Article III. b. below. At the time of initial adoption of this Policy, the Eligible Agencies are the City of Sacramento, the County of Sacramento, the City of Elk Grove, the City of Rancho Cordova, the

City of Citrus Heights, and the City of Folsom. Any city or county that is annexed into the District or becomes a participating agency subsequent to the adoption of this Policy will be deemed an Eligible Agency upon annexation or commencement of participation.

- i. Eligible Agency Point of Contact.** Each Eligible Agency desiring to participate in the banner program governed by this Policy will provide RT with the name, title and contact information of the agency staff member authorized to submit an application for installation of a banner. The authorized staff member will be the Point of Contact (“POC”) for the Eligible Agency. The POC will be required to attend a brief training session with RT regarding the Policy before the POC may submit any application for installation of a banner.
- b. Banner Message.** One of the purposes behind the Policy is to provide a forum for Eligible Agencies to announce community events sponsored by the Eligible Agencies. Consequently, banners are restricted to announcing non-commercial, public events of community importance that are sponsored by the Eligible Agency requesting its installation. Eligible Agencies may request that a banner be installed announcing civic, health and welfare, educational, and entertainment focused community events sponsored by the Eligible Agency. In no event may any banner announce a commercial, political, or religious event or an event that promotes violence or primarily involves alcohol or guns and/or ammunition.
- c. Bridge Locations, Banner Requirements and Installation.**

  - i. Bridge Locations.** RT staff will identify bridges eligible for installation of banners pursuant to this Policy and compile a list that will be made available to Eligible Agencies. The list will include details about the location of each participating bridge. In addition, the list will include the requirements for banner dimensions, material, construction, and other physical requirements. The list of eligible bridges will be reviewed and revised periodically by RT staff.
  - ii. Application for Installation.** RT’s General Manager/CEO or his/her delegatee will develop, and revise as needed, an Application for Installation that Eligible Agencies will be required to fill out and submit to RT before a banner may be installed. An Eligible Agency must submit its application for installation to the General Manager/CEO or his/her delegatee for review, approval and processing. The application must contain the following information:

    - 1.** Identity of the bridge upon which the banner will be installed;
    - 2.** Proposed start date and removal date;

3. A description of the event and identification of all major participants/co-sponsors of the event;
4. Reason the Eligible Agency is sponsoring the event.
5. A certification that the installation of the banner at the proposed location is compliant with any restrictions placed on banners by the applicable municipality, county, or state agency and that any fees have been paid and any required permits have been obtained. Evidence of the payment of fees or permits must be attached to the application.

In addition, the Eligible Agency must attach a graphic image of the proposed banner. The application must be submitted at least 30 days prior to the proposed installation date. RT will notify the Eligible Agency within 10 days of receipt of the application whether the request for banner installation has been approved.

- iii. **Installation of Banners.** Upon approval, the Eligible Agency must submit the banner to be installed to the General Manager/CEO's designated staff member, no later than 10 days prior to proposed installation date. RT staff will inspect the banner to ensure it complies with the size, dimension, construction material and other specification requirements. If the banner does not comply with RT requirements, RT will advise the Eligible Agency of the deficiencies and provide the Eligible Agency the opportunity to resubmit a banner compliant with RT's requirements. RT will not install any banner that is the incorrect dimension, made of non-compliant material, or not otherwise compliant with RT's specifications.

Upon acceptance of any banner, RT will install the banner and will be responsible for its proper installation. The Eligible Agency will retain liability for the banner content and must execute an indemnification agreement to indemnify and defend RT against any claims or lawsuits resulting from the banner message.

RT staff may impose a fee for the processing of applications and for the installation, maintenance, and removal of all banners. The fee will be based on RT's actual costs incurred administering the program.

In no event will any banner be posted for a period longer than 30 days.

#### **IV. Reporting and Policy Review.**

- a. **Reporting.** RT's General Manager/CEO or his/her delegatee will prepare an annual report to the Board that identifies each of the bridges that displayed announcements under this Policy, the events announced, the sponsoring

Eligible Agency, the duration of the installation, the amount of any fees collected, and any other relevant information.

- b. Policy Review.** At least once every five years, staff will conduct a review of this Policy to determine whether the Policy needs to be modified or terminated. Upon completion of its review, staff will provide the Board with a report describing its findings and providing its recommendations. The Board will consider staff's recommendations and may modify the policy, terminate it, or re-affirm the policy without change.