

Marketing Expenditures**5.1.15****PURPOSE**

The City has a fiduciary duty to spend taxpayer dollars responsibly. As such, marketing expenditures including promotional items and marketing collateral as described below require prior approval from the City Manager's Office of Communications. This policy does not apply to marketing expenditures by the Mayor and Council Offices, which are governed by Council Policy 0-38.

SCOPE OF APPLICATION

The policy applies to the following expenditures:

- All promotional item(s), regardless of cost.
 - Promotional items are defined as any item that will be used to promote City programs and services by making that item available free of charge, e.g., mugs, T-shirts, pencils, bookmarks, or any other giveaways.
- Any collateral material where, in the aggregate, the cost for each item produced or cost per impression will be more than \$3.00.
 - Collateral is defined as printed promotional material such as folders, posters or calendars.
- Promotional items and collateral that are part of one marketing campaign can be combined into one exemption request.

POLICY

Marketing expenditures should only be made to meet specific needs that advance identified City goals. City programs that are designed to achieve compliance with Federal and State mandates, cost recovery, generate revenue, or reduce costs by decreasing demand for services should be prioritized. Departments should avoid spending marketing dollars to promote programs that are already operating at full capacity. Marketing expenditures, and the envisioned increase in program activity that might be generated from the marketing effort, must be paid from a department's existing budget authorization.

Promotional items and marketing collateral must be developed and distributed equitably, to reach San José's diverse residents including non-English speakers (Spanish and Vietnamese). If available, departments should consult their internal equity plan and follow identified best practices and guidance.

Promotional items should be thoughtfully purchased. Departments are encouraged to procure recyclable items or items with recycled content. All promotional items should align with program goals and have a useful purpose, applicable for San José's diverse population. Examples of useful items include reusable bags, mugs, water bottles, or pens.

Promotional items may not be used in a raffle unless the following requirements are satisfied:

1. It involves a general and indiscriminate distribution of the raffle tickets.
2. The raffle tickets are available free and without any payment or condition to anyone who requests a raffle ticket.
 - a. A donation for raffle tickets can be requested, but not required.

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- b. Raffle tickets can be offered in exchange for something (for example, signing up to a newsletter), but a clear and prominent disclaimer must be included explaining that the exchange is not required, and instructions for how to receive a raffle ticket without condition.

PROCEDURES

Departments seeking to expend City funds for marketing purposes are to submit an [Exemption Form](#) providing enough detail about the marketing expenditure request to allow the City Manager's Office of Communications a meaningful way to evaluate the request. Once approved, Departments may expend City funds.

Approved:

 /s/ Carolina Camarena
Director of Communications

 March 16, 2022
Date

Approved for posting:

 /s/ Jennifer A. Maguire
City Manager

 March 16, 2022
Date