

RESOLUTION NUMBER R- 303611

DATE OF FINAL PASSAGE APR 24 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR TO ENTER INTO A NON-MONETARY LICENSE AGREEMENT WITH MATTEL, INCORPORATED FOR THE USE OF THE CITY'S FIRE-RESCUE DEPARTMENT NAME AND LOGO RELATED TO THE MATCHBOX® TOY REPLICAS OF FIRE APPARATUS.

WHEREAS, in January 2008, Mattel, Incorporated contacted the San Diego Fire-Rescue Department [SDFD] expressing an interest in designing and marketing Matchbox® miniature toys based on SDFD fire apparatus; and

WHEREAS, previous miniature toy collaborations by Mattel with public entities have mainly involved only large city police departments. For the first time the company is initiating a line of Matchbox® toys featuring fire apparatus from large city fire departments. Their first choice for 2008 was the City of San Diego Fire-Rescue Department; and

WHEREAS, the SDFD will have complete review and approval authority of the toy apparatus designs and finished models which will be emblazoned with the City/SDFD logo and insignias; and

WHEREAS partnering with Mattel, Incorporated provides the City and SDFD with a highly visible and positive public image and recognition opportunity; and

WHEREAS, inasmuch as the toys will be marketed and distributed worldwide, the Matchbox® fire apparatus toys will assist in furthering the City's name and will further create positive exposure for the SDFD and its personnel; and

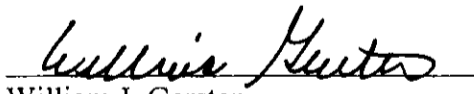
WHEREAS, as the Matchbox® series is known nationwide and worldwide to adults and collectors of all ages, it has the potential of having a positive side effect in enhancing Fire-Rescue Department recruitment efforts; and

WHEREAS, the proposed licensing agreement with Mattel, Incorporated is legally considered a form of product endorsement, and as such requires Council authority pursuant to Council Policy and Administrative Regulations; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor is hereby authorized and empowered to enter into a non-monetary license agreement with Mattel Incorporated allowing for their use of the City's Fire-Rescue Department name and logo in conjunction with the manufacture, marketing, distribution, promotion and sale of various scaled "Matchbox" toy replicas of fire apparatus.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and empowered to enter into this agreement for a term of three years with two optional one year periods. Per Charter Section 99, the agreement will not exceed more than a total of five years unless presented as an ordinance for council consideration at a future date.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
William J. Gersten
Deputy City Attorney

WJG:amt:pev
03/24/2008
Or.Dept:Fire
R-2008-786

(R-2008-786)

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 22 2008.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 4.24.08
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor