

RESOLUTION NUMBER R- 307037

DATE OF FINAL PASSAGE OCT 17 2011

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE  
A PROMOTIONAL AGREEMENT BETWEEN THE CITY OF  
SAN DIEGO, TOYOTA MOTOR SALES, INC., AND SAN  
DIEGO COUNTY TOYOTA DEALERS ASSOCIATION.

WHEREAS, City has established a Corporate Partnership Program (CPP) to generate cash and in-kind resources for City through marketing partnerships with the corporate community; and

WHEREAS, Toyota Motor Sales, Inc. is in the business of importing, marketing and/or distributing Toyota, Lexus and Scion brand motor vehicles; and

WHEREAS, the San Diego County Toyota Dealers Association is in the business of promoting the sale of Toyota brand motor vehicles on behalf of Toyota Dealers located in San Diego County, California; and

WHEREAS, the proposed Promotional Agreement between the City of San Diego, and Toyota Motor Sales, Inc. and the San Diego County Toyota Dealers Association (together, "Toyota") sets forth the parties' desire to enter into a contractual relationship by which City grants certain marketing rights and benefits to the Toyota Entities in exchange for the donation of thirty-four (34) new and fully warranted 2012 Toyota vehicles and accessories for use by the City's Lifeguards for a period of two years, all on the terms and conditions as set forth in the proposed Promotional Agreement; and

WHEREAS, under the terms of the proposed Promotional Agreement:

- the City may purchase any or all of the vehicles at the end of the two years at a price based on “average” condition, or return the vehicles to Toyota with reasonable wear and tear;
- the parties may agree to extend the Promotional Agreement for an additional two years, at which point Toyota would provide City with a new fleet of vehicles;
- as City’s corporate partner, Toyota will have the exclusive right to promote Toyota as the “Official Vehicle of the San Diego Lifeguards,” will sponsor the Lifeguard’s Water Safety Days program at designated beach locations, and will have the right to market to City employees, along with other partnership rights and benefits; and

WHEREAS, as a result of the proposed Promotional Agreement, City will not incur the currently allocated budget amount for vehicle replacement of \$491,060 for the first two years of the agreement; NOW, THEREFORE,

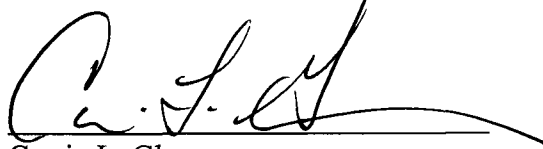
BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor be and is hereby authorized and empowered to execute, for and on behalf of said City, an agreement with Toyota Motor Sales, Inc. and the San Diego County Toyota Dealers Association for the donation of thirty-four (34) new and fully warranted 2012 Toyota vehicles and accessories for use by the City’s Lifeguards for a period of two years, all on the terms and conditions as set forth in the Promotional Agreement on file in the office of the City Clerk as Document No.

RR- 307037

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$49,106 from the Fleet Services Replacement General Fund (Fund No. 720011) is authorized for the

purpose of paying the commission due under the Marketing Consultant Agreement previously authorized by Council in Ordinance O-20037 (April 5, 2011).

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Carrie L. Gleeson  
Deputy City Attorney

CLG:als  
9/27/2011  
Or.Dept:Corp.Sponsorship  
Doc. No.: 254040

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ~~OCT 10 2011~~

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 10-17-11  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor