

RESOLUTION NUMBER R- 307287

DATE OF FINAL PASSAGE MAR 14 2012

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR TO EXECUTE A MARKETING PARTNERSHIP AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND RAINBOW VENDING, INC. FOR SNACK VENDING MACHINES.

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

WHEREAS, Rainbow Vending, Inc. has demonstrated an interest in the CPP by submitting a proposal to enter into a Marketing Partnership with the City for snack vending; and

WHEREAS, the City has determined that Rainbow Vending's proposal meets the objectives of the CPP and is otherwise in the best interests of the City; and

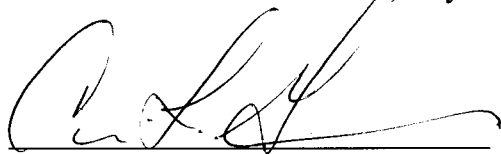
WHEREAS, the proposed Marketing Partnership Agreement between the City and Rainbow Vending sets forth the parties' desire to enter into a contractual relationship by which the City names Rainbow Vending its "Official Snack Vending Partner," grants Rainbow Vending the right to place snack vending machines at City facilities as set forth in the Agreement, and grants Rainbow Vending certain marketing rights and benefits, all in exchange for payment to the City of 20% commission on gross sales of all snacks sold, with payment in advance of \$30,000 for commissions on snacks sold during the first year of the Agreement and, in addition, payment to the City of 30% of the net revenue from advertising placed on the vending machines and enclosures; and

WHEREAS, the proposed Marketing Partnership Agreement is for a term of less than 5 years (terminating on the same date as the Marketing Partnership Agreement between the City and Rainbow Vending for cold drink vending machines), requires installation of a minimum of 100 snack vending machines, requires healthy choice options in vending machines placed in parks and recreation centers, and such other terms and conditions as set forth in the proposed Marketing Partnership Agreement; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor or his designee be and is hereby authorized and empowered to execute, for and on behalf of said City, an agreement with Rainbow Vending, Inc. for the placement of snack vending machines and certain marketing rights and benefits to Rainbow Vending in exchange for payment to the City of commissions on the sales of snacks and commissions on the sale of advertising, including a commission payment of \$30,000 in the first year of the Agreement, for a term not to exceed 5 years, all on the terms and conditions as set forth in the proposed Marketing Partnership Agreement on file in the office of the City Clerk as Document No. RR- 307287.

APPROVED: JAN I. GOLDSMITH, City Attorney

By

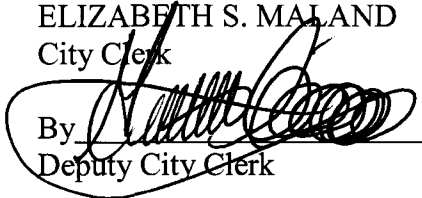


Carrie L. Gleeson
Deputy City Attorney

CLG:als
02/14/ 2012
Or.Dept:Corporate Sponsorship
Doc. No. 320195

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ~~FEB 28 2012~~

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 3-14-12
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor