

#51
3/22

(O-2016-91)

ORDINANCE NUMBER O- 20623 (NEW SERIES)

DATE OF FINAL PASSAGE APR 06 2016

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO MARKETING PARTNERSHIP AGREEMENT
WITH TOYOTA MOTOR SALES U.S.A., INC. AND THE SAN
DIEGO COUNTY TOYOTA DEALERS ADVERTISING
ASSOCIATION FOR UP TO TEN YEARS

WHEREAS, the City of San Diego (City) has established the Corporate Partnerships and Development Program (CPDP) to generate cash and in-kind resources for the City through marketing partnerships with the corporate community; and

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

WHEREAS, the San Diego County Toyota Dealers Advertising 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, in 2011, the City entered into an agreement with Toyota Motor Sales U.S.A., Inc. and the San Diego County Toyota Dealers Advertising Association (together, "Toyota") by which the City granted certain marketing rights and benefits to Toyota in exchange for the donation of 34 new Toyota brand motor vehicles for use by the City's lifeguards; and

WHEREAS, in June 2015, the CPDP issued a Request for Sponsorship to local, regional and national vehicle companies and Toyota submitted a proposal demonstrating its interest to continue to outfit the City's lifeguards with 34 vehicles; and

WHEREAS, the City has determined that Toyota's proposal demonstrates its ability to equip the City's lifeguards with 34 fully warranted new vehicles and accessories necessary to

help carry out the duties of safeguarding the public in a variety of street and off road conditions;
and

WHEREAS, the City has negotiated a new agreement with Toyota extending the use of the current Toyota fleet of 34 vehicles for the City's lifeguards for one additional year and for the donation under a lease of a new fleet of 34 vehicles in year two of the agreement for a period of up to three years (Agreement); and

WHEREAS, the City will monitor the performance of the vehicles over this additional year and determine whether the parties should replace the vehicles every two years or every three years to minimize the vehicle replacement costs over the course of the Agreement; and

WHEREAS, the City and Toyota may agree to extend the Agreement for up to two additional three-year periods or up to three additional two-year periods based on the vehicle replacement schedule; and

WHEREAS, the City has the option to purchase all or any of the vehicles at a price based on "average" condition, as defined in the Agreement, or return the vehicles with reasonable wear and tear; and

WHEREAS, under the Agreement, Toyota will have the exclusive right to promote Toyota as the "Official Vehicle of the San Diego Lifeguards," will sponsor the City's Water Safety Days program at designated beach locations, will have the right to market to City employees, and will have other marketing rights and benefits; and

WHEREAS, as a result of the Agreement, the City will continue to provide reliable and quality vehicles for use by the City's lifeguards and will save the cost of vehicle replacement for

up to ten years by eliminating the need to purchase lifeguard vehicles during the term of this agreement; and

WHEREAS, under San Diego Charter section 99, a two-thirds vote of the Council is required for passage of this ordinance; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

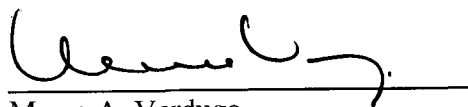
Section 1. That the Mayor is authorized to enter into a Marketing Partnership Agreement with Toyota Motor Sales U.S.A., Inc. and the San Diego County Toyota Dealers Advertising Association.

Section 2. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By



Marco A. Verdugo
Deputy City Attorney

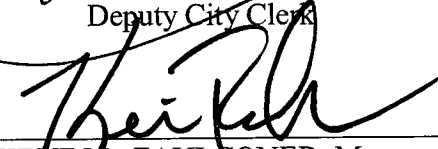
MAV:meb
February 24, 2016
Or.Dept: Corporate Partnership
Doc. No.: 1227852

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of MAR 22 2016.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 9/5/16
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on MAR 22 2016, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherrri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 06 2016

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By [Signature], Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 08 2016

, and on

APR 06 2016

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By [Signature], Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 20623