

Item 57
12-5-17
(O-2018-21)

ORDINANCE NUMBER O- 20884 (NEW SERIES)

DATE OF FINAL PASSAGE DEC 08 2017

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING A LICENSING AGREEMENT WITH MATTEL, INC. ALLOWING FOR THE CITY'S NAME AND LOGO, AND THE POLICE AND FIRE-RESCUE DEPARTMENT NAMES AND LOGOS TO BE USED IN CONJUNCTION WITH THE MANUFACTURE, MARKETING, DISTRIBUTION, PROMOTION, AND SALE OF VARIOUS SCALED MATCHBOX® TOY REPLICAS.

WHEREAS, in January of 2008, Mattel, Inc. contacted the Fire-Rescue Department (SDFD) expressing an interest to design and market Matchbox® miniature toys based on SDFD apparatus; and

WHEREAS, previous collaborations by Mattel up to that point mainly focused on large city police departments, but for the first time, Mattel was initiating a line of Matchbox® toys featuring fire apparatus from large city fire departments; and

WHEREAS, the SDFD was Mattel's first choice in 2008; and

WHEREAS, the City had complete review and approval authority of the toy apparatus designs and finished models which were emblazoned with the City and SDFD logos and insignias; and

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

WHEREAS, not only did the Matchbox® toys assist in furthering the City's brand, but the toys also created wide positive exposure for the SDFD and its personnel; and

WHEREAS, the City would like to allow the San Diego Police Department (SDPD) name and logo to be used by Mattel under this new agreement; and

WHEREAS, expected annual production of the SDPD and SDFD licensed toys is 50,000 at a suggested retail price of \$2.99; and

WHEREAS, Mattel has offered the City the opportunity to renew the agreement for an additional three-year term with options for two one-year renewals; and

WHEREAS, the same terms and conditions from the previous 2008 and 2014 agreements will apply; NOW, THEREFORE,

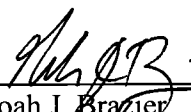
BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the Mayor, or his designee, is authorized to enter into a non-monetary licensing agreement with Mattel, Inc. allowing for the use of the City's, the San Diego Police Department's, and the Fire-Rescue Department's name, logo, and markings in conjunction with the manufacture, marketing, distribution, promotion, and sale of various scaled Matchbox® toy replicas of fire apparatus for a three-year initial term with two one-year options to renew.

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: MARA W. ELLIOTT, City Attorney

By 

Noah J. Brazier
Deputy City Attorney

NJB:hm
9/28/2017
Or.Dept:PSE
Doc. No.: 1592141

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of DEC 05 2017.

ELIZABETH S. MALAND
City Clerk

By *As Ready*
Deputy City Clerk

Approved: 12/8/17
(date)

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on DEC 05 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<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"/>
Chris Ward	<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"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 08 2017

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 Connie Patterson, 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

NOV 14 2017, and on DEC 08 2017

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 Connie Patterson, Deputy

<p>Office of the City Clerk, San Diego, California</p> <p>Ordinance Number O- <u>20884</u></p>
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