

RESOLUTION NUMBER R- 310968

DATE OF FINAL PASSAGE MAR 15 2017

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 COMPASS GROUP USA FOR  
SNACK AND BEVERAGE VENDING MACHINES

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

WHEREAS, Compass Group USA (Compass Group) demonstrated an interest in the CPD by responding to a Request for Sponsorship for a Vending Machine Partner, issued by the CPD in September 2016; and

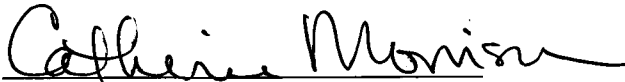
WHEREAS, the City determined that Compass Group's proposal in response to the Request for Sponsorship meets the objectives of the CPD and is otherwise in the best interests of the City; and

WHEREAS, the proposed Marketing Partnership Agreement (Agreement) between the City and Compass Group sets forth the parties' desire to enter into a contractual relationship by which the City names Compass Group its "Official Beverage and Snack Vending Partner," grants Compass Group the right to place Vending Machines and Enclosures at City Facilities as set forth in the Agreement, and grants Compass Group certain marketing rights and benefits, all in exchange for payment to the City of commission on gross receipts from the sales of snacks and beverages as outlined in the agreement, with payment to the City of an "Annual Guarantee" as outlined in the Agreement and, in addition, Compass Group will provide the City with payments through in-kind services; and

WHEREAS, the proposed Agreement is for a term of less than 5 years, requires installation of healthy choice options, requires installation of the vending machines that meet the most recent Energy Star ratings, permits installation of Smart Markets with prior written approval of the City, and such other terms and conditions as set forth in the proposed Agreement; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Mayor or his designee is authorized and empowered to execute, for and on behalf of the City of San Diego, an Agreement with Compass Group USA for provision of snack and beverage machines in the City of San Diego and including, but not limited to, certain marketing rights and benefits to Compass Group USA in exchange for payment to the City of sales commissions on the sales of snacks and beverages, for a term not to exceed 5 years, all on the terms and conditions as set forth in the proposed Agreement on file in the office of the City Clerk as Document No. RR- 310968.

APPROVED: MARA W. ELLIOTT, City Attorney

By 

Catherine C. Morrison  
Deputy City Attorney

CCM:jvg  
February 8, 2017  
Corporate Partnerships and Development  
Doc. No.: 1438887

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAR 07 2017.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 3/14/17  
(date)

  
KEVIN L. FAULCONER, Mayor

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

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on MAR 07 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 MAR 15 2017.

**(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)**

AUTHENTICATED BY:

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

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

(Seal)

By *Myrle Cole*, Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 310968