

CITY OF SAN DIEGO, CALIFORNIA
COUNCIL POLICY

CURRENT

SUBJECT: MARKETING PARTNERSHIP POLICY
POLICY NO.: 000-40
EFFECTIVE DATE: October 10, 2018

BACKGROUND:

On June 8, 1999 the City Council unanimously approved a strategic marketing plan for corporate partnerships called the Municipal Marketing Partnership Program (MMPP.) The MMPP (currently referred to as Corporate Partnerships and Development Program or “CPDP”) seeks opportunities for the City of San Diego (City) to generate revenue and partnerships with the corporate community in order to enhance municipal services and facilities in the City.

The specific objectives of the CPDP are as follows:

1. To establish and guide relationships with existing and potential business partners who share the City’s commitment to providing a high quality civic environment through the City of San Diego.
2. To generate revenue, in-kind values, and non-monetary benefits to fund or support existing and additional facilities, projects, programs and activities.
3. To provide appropriate recognition of corporate partners while maximizing the cumulative revenue or value from the partners.

PURPOSE:

To provide guidelines for developing and managing municipal marketing partnerships which ensure that marketing partnerships support the City’s goals of service and value to the community and remain responsive to the needs and values of the public as well as to City employees. The following guidelines encourage flexibility in developing mutually beneficial relationships with the corporate sector.

DEFINITIONS:

Marketing Partnership:

A mutually beneficial business arrangement between the City and a third party, wherein the third party provides cash and/or in-kind products or services or non-monetary benefits to the City, in return for access to the commercial marketing potential associated with the City. Marketing Partnerships may include various marketing opportunities including, but not limited to, licensing, promotional, or sponsorship of one or more of the City’s programs (except employee-only discount programs), projects, events, facilities or activities.

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Request for Sponsorship (RFS)

An open and competitive process whereby third parties (“proposers”) may submit proposals for marketing partnership opportunities with the City. All RFSs will include a summary of the partnership opportunity, benefits of participation, and the elements of the proposal that are required by the RFS.

General Principles

- a. Third parties may become marketing partners with the City in City-approved programs, projects, events, facilities, or activities when such partnerships are mutually beneficial to both parties and consistent with applicable City policies and ordinances. Under the conditions of this policy, City staff may solicit such marketing partnerships for the City.
- b. The City must determine whether the benefit to City constituents warrants the City’s participation in a marketing partnership. The level of recognition for marketing partners must be consistent with the scale of each partner’s contributions.
- c. The RFS will include a requirement for proposers to comply with all applicable City policies, including disclosure of any conflicts of interest as set forth in the City’s Ethics Ordinance. If an RFS is not issued, agreements will address compliance with required disclosures.

d. Restrictions on Partnerships

In general, the following industries and products are not eligible for marketing partnerships with the City:

- 1. Police-regulated Businesses.
- 2. Companies whose business is substantially derived from the sale or manufacture of tobacco products.
- 3. Alcoholic beverages when the targeted beneficiaries of the marketing partnership are youth under the legal drinking age.
- 4. Parties involved in a lawsuit with the City.
- 5. Parties involved in any stage of negotiations for a City contract unless contract is directly linked to a marketing partnership opportunity.

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- e. Exclusions to Marketing Partnership Policy:
 - 1. Gifts or unsolicited donations are governed by Donation Acceptance Council Policy No. 100-02.
 - 2. Naming opportunities are governed by Naming of City Assets Council Policy No. 900-20.
 - 3. Marketing partnership proposals forwarded to the City may not be subject to the RFS process if the proposed sponsorship is determined by the CPDP through research to be unique and without interested or qualified competitors such that the RFS process would be undesirable, impractical, or impossible.
 - 4. Employee Only Discount Programs.

Marketing Partnership Process

The general procedure for developing marketing partnerships will be as follows:

- a. Define scope of marketing partnership program or project, including a description of the community need, partnership benefits, and general marketing strategy.
- b. Develop a RFS for each partnership opportunity valued at \$250,000 or more.
- c. City-originated marketing partnerships valued below \$250,000 may be subject to the RFS process if deemed by CPDP to be in the best interest of the City.
- d. Advertise RFS to potential proposers found through category research and by posting the opportunity on the City's website.
- e. Review by CPDP and affected departments of all responsive proposals received through the RFS process for the best overall value to the City.
- f. Marketing Partnership Agreements with an aggregate value of \$250,000 or greater will be presented to City Council for approval. Additionally, all contracts with official City endorsements require Council approval (per Council Policy 000-41, Endorsement).
- g. Marketing Partnership Agreements with an aggregate value to the City below \$250,000 are subject to Mayor or Mayor's designee review and approval.

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Marketing Partnership Agreements

All Marketing Partnership Agreements will include contractual language consistent with all applicable City policies and ordinances and good business practices. In general, Marketing Partnership Agreements should include:

- a. The parties to the contractual relationship
- b. Term of agreement
- c. Renewal process, if applicable
- d. Consideration that includes a description of the
 - marketing rights fee,
 - commission,
 - in-kind goods, and
 - in-kind services.
- e. Description of programs, projects and activities (i.e., a scope of work)
- f. Contract administrator name and contact information
- g. Marketing rights and benefits
- h. Termination provisions
- i. City standard terms and provisions, including a provision prohibiting Conflict of Interest.

Responsibilities

- a. The CPDP will oversee marketing partnership activities and contract administration for citywide, non-departmental contracts on behalf of the City.
- b. The CPDPs responsibilities include:
 1. implementing the CPDP City-wide;
 2. providing guidance to all City departments regarding the interpretation and application of this policy;

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3. providing assistance and advice to departments regarding marketing partnership activities;
4. development, solicitation and negotiation of partnerships on behalf of mayoral departments that include product endorsement, citywide elements or official partner status;
5. tracking and reporting to City Council on an annual basis all marketing partnerships valued at \$25,000 or more developed by City Departments to include summary of net revenue, in-kind values or non-monetary benefits. Sponsorship tracking will not include non-profit or foundation supports, other government agencies, educational institutions or informal employee groups.

HISTORY:

“Marketing Partnership Policy”

Adopted by Resolution R-292719 - 02/01/2000

Amended by Resolution R-311984 – 10/10/2018