



AGENDA REPORT

Meeting Date: August 21, 2007
Item Number: F-11
To: Honorable Mayor & City Council
From: Daniel E. Cartagena, Project Manager
Subject: RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS TO
IMPLEMENT THE MARKETING CAMPAIGN FOR THE CITY'S SMOKING
ORDINANCE
Attachments: 1. Resolution

RECOMMENDATION

Staff recommends the City Council adopt the resolution providing the City Manager with authority to execute agreements associated with the development and implementation of the marketing program to compliment the City's Smoking Ordinance.

INTRODUCTION

On June 10, 2007, the City Council adopted an ordinance which will restrict smoking in open air dining areas throughout the City. In its deliberations leading up to the passage of the ordinance, the City Council, supported the recommendation to develop a marketing program to advertise, develop awareness and offset any effects experienced by the City's hospitality industry resulting from the City's smoking ban.

Further, the City Council referred the development of the marketing program to its Ad Hoc Committee on Smoking Restriction and directed staff to work with the Committee to shape the program. Staff has presented a framework of the Program to the Committee and recommended an approach to achieve the development and implementation of this Program by October 1, 2007.

DISCUSSION

Staff has identified a team of qualified consultants that are well-suited to develop and implement the marketing program. These firms: M&C Saatchi, WeberShandwick and Round 2 Media, have met with staff and provided valuable input as to the effort and time-line staff faces in piecing together a program, to meet its objectives, considering the

creative, production and coordination factors necessary to implement the program by October 1, 2007 or the start in which the smoking ban goes into effect.

The first step is to enable the creative elements of the program to proceed. For this to happen, it is necessary for agreements to be executed between the City and the firms as soon as possible. Recently, staff held a meeting with the firms to present the Ad Hoc Committee's comments and direction with regards to the Program. In response each firm was requested to submit a proposal to the City. Staff anticipates a timely submittal from each firm. Upon receipt of the proposals, staff will move forward to with the development of the agreements.

The agreements could not be packaged together in time to present to the City Council at its August 21, 2007 city council meeting. Moreover, the next scheduled City Council meeting is set for Tuesday, September 4, 2007. At the meeting on the 4th, staff plans to present the full marketing plan to the City Council. As a result, it is necessary to request the City Council consider this resolution to authorize the City Manager to execute, amend and authorize the creating of the associated purchase orders with these firms. If the City Council provides this authority to the City Manager, then staff will work to finalize the agreement and provide direction to each firm to proceed with the development of the program.

Looking ahead, staff plans to present the conceptual elements of the Marketing Program to the Ad Hoc Committee for review and comment in the days following the August 21st City Council meeting. Upon completion of this step, staff plans to present the Program's conceptual elements to the City Council at its Study Session on September 4, 2007 and for final approval later that evening at the formal session.

FISCAL IMPACT

The City's Ad Hoc Committee has directed staff to develop a marketing program to support the City's Smoking Ordinance with a budget not-to-exceed \$150,000. The City's Economic Development Division has within its budget, funds sufficient to support the development of this program.



Scott Miller
Finance Approval

Daniel E. Cartagena
Approved By 

RESOLUTION NO. 07-R-__

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS TO IMPLEMENT THE MARKETING CAMPAIGN FOR THE CITY'S SMOKING ORDINANCE

The City Council of the City of Beverly Hills does resolve as follows:

Section 1. The City Council adopted an ordinance which bans smoking in outdoor dining areas in the City beginning on October 1, 2007. The City desires to develop a marketing program to advertise the existence of smoke-free outdoor dining in the City and raise awareness of the smoking prohibition (the "Marketing Campaign"). To execute the Marketing Campaign in a timely manner, the City will need to enter into agreements with advertising agencies for the development of the Marketing Campaign, purchase orders with various media outlets for the placement of advertising, and agreements with other service providers to produce the marketing materials and other collateral. The City estimates that the cost of those services is \$150,000. The cost estimate is more further described in the Staff Report dated August 21, 2007 presented to the City Council regarding the Marketing Campaign.

Section 2. Pursuant to Beverly Hills Municipal Code Section 3-3.204, the City Council hereby determines that conformance to the purchasing procedures for any supplies and equipment necessary for the Marketing Campaign would be contrary to the best interests of the City and impractical in that the Marketing Campaign must be developed within a short period of time in order to place advertisements and develop other collateral prior to October 1, 2007. These tight time constraints may only be overcome by the waiver of the bidding procedures. Thus, the City Council hereby waives the bidding procedures set forth in Beverly Hills Municipal Code Section 3-3-204 for the supplies and equipment necessary for the Exhibit.

Section 3. The City Council also hereby determines that, due to the time constraints discussed above, it would be in the best interests of the City to authorize the City Manager to execute agreements and/or purchase orders for all services related to the Marketing Campaign. Thus, the City Council hereby authorizes the City Manager to execute agreements and/or purchase orders for the Marketing Campaign in a not to exceed total amount of One-Hundred and Fifty Thousand Dollars (\$150,000).

Section 4. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and his certification to be entered in the Book of Resolutions of the Council of the City.

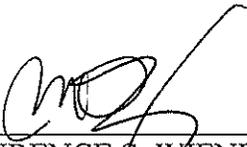
Adopted:

JIMMY DELSHAD
Mayor of the City of
Beverly Hills, California

ATTEST:

_____(SEAL)
BYRON POPE
City Clerk

APPROVED AS TO FORM:



LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:



RODERICK J. WOOD
City Manager



ALISON MAXWELL
Director of Economic Development
and Marketing