

July 14, 2014

Date

APPROVAL OF AGREEMENT WITH ENOW INC. TO CONDUCT AND USE FOR PUBLIC RELATIONS AND PROMOTIONAL PURPOSES A CASE STUDY OF THE CITY OF DES MOINES USE OF MAILSCAPE SOFTWARE

WHEREAS, the IT Department desires to use Mailscape Software, owned by ENow Inc., for email reporting and monitoring; and

WHEREAS, ENow, Inc. desires to conduct a case study of the City's use of the Mailscape Software and to use that case study for public relations and promotional and advertising purposes, including by posting it on the ENow website, press releases, testimonials of City staff, and to otherwise promote the case study; and

WHEREAS, such case study will include written interviews with City employees and contractors, with quotes and names; and

WHEREAS, the City will have the right to approve the case study and media materials before they are used and the right to approve all uses of the City's name and testimonials; and

WHEREAS, ENow Inc. has prepared a Case Study Agreement, a copy of which is on file in the City Clerk's Office; and

WHEREAS, Municipal Code section 6.3 provides that "the name of the city shall not be used in or for any advertising scheme or plan where money is charged and received for such advertising, except upon the authority of the city council"; and

WHEREAS, the IT Department recommends approval of this Case Study Agreement.



Roll Call Number

Agenda Item Number

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Date July 28, 2014

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the above described Case Study Agreement, a copy of which is on file in the City Clerk's Office, is hereby approved, subject to the above described public relations and promotional/advertising activities not implying an endorsement of any ENow product or service, and the City Manager is hereby authorized and directed to sign on behalf of the City and to authorize use of the City name and City staff testimonials in connection with such activities.

(Council Communication No. 14- 352)

Moved by _____ to adopt.

Approved as to Form:

Ann DiDonato
Assistant City Attorney

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MAHAFFEY, MOORE, and TOTAL.

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

Mayor

City Clerk