

ORDINANCE NUMBER O- 20094 (NEW SERIES)

DATE OF FINAL PASSAGE ~~OCT 3 2011~~

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING AN AMENDMENT TO A SOFTWARE LICENSE AND MAINTENANCE AGREEMENT WITH PHILADELPHIA INDUSTRIAL DEVELOPMENT CORPORATION.

WHEREAS, pursuant to San Diego Charter section 99, this ordinance requires a two-thirds' majority vote of the members elected to the Council to pass; and

WHEREAS, in 2002, the City established the San Diego Regional Revolving Loan Fund [Fund] to make loans to small businesses; and

WHEREAS, the Fund was made possible by a grant from the United States Department of Commerce, Economic Development Administration [EDA]; and

WHEREAS, the Fund is a source of financing to small businesses for working capital, property acquisition, inventory, and machinery and equipment; and

WHEREAS, the City entered into a Software License and Maintenance Agreement dated February 11, 2004 [PIDC Agreement], with Philadelphia Industrial Development Corporation, a Pennsylvania nonprofit corporation [PIDC], for software and maintenance services to track federally-funded loans made to small businesses, and to comply with EDA reporting requirements; and

WHEREAS, the PIDC Agreement contains a provision that automatically extends the term on an annual basis, indefinitely; it has extended beyond five years, which makes it subject to San Diego Charter section 99 requiring the City Council's authorization by ordinance; and

WHEREAS, the proposed amendment to the Agreement would retroactively extend the original agreement from February 11, 2009 through February 10, 2019; and

WHEREAS, the annual maintenance fee under the amended Agreement would be Five Hundred Dollars (\$500), with anticipated additional services costing up to \$1,000; NOW, THEREFORE,

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

Section 1. That, that certain "Software License and Maintenance Agreement" dated February 11, 2004 [PIDC Agreement], between the City and Philadelphia Industry Development Corporation, a Pennsylvania nonprofit corporation, for software and maintenance services is hereby authorized, ratified, and affirmed.

Section 2. That the Mayor or his designee is authorized to execute and deliver the "Amendment to the Agreement between the City of San Diego and Philadelphia Industrial Development Corporation" on file in the Office of the City Clerk as Document No.


OO- 20094.

Section 3. That the Chief Financial Officer is authorized to appropriate and expend from Fund 200352 up to Six Thousand Dollars (\$6,000), as required under the PIDC Agreement, as amended.

Section 4. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been available to the City Council and the public a day prior to its passage.

Section 5. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Brock Ladewig
Deputy City Attorney

BLL:mm
8/12/2011
Or.Dept:CPCI-Economic Development
PL#2011-07452

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of SEP 27 2011.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 10-3-11
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor