

601  
5/12/21

(O-2021-115)

ORDINANCE NUMBER O- 21317 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 12 2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING A SECOND AMENDMENT TO A MASTER SERVICES AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND OPEN COUNTER ENTERPRISES, INC. AND APPROVING RELATED FUNDING.

WHEREAS, Open Counter Enterprises, Inc. (Open Counter) provides software license and maintenance services to the City of San Diego (City) pursuant to that certain Master Services Agreement, dated June 2, 2016, as amended by that certain first amendment, dated July 1, 2018 (collectively, Agreement); and

WHEREAS, Open Counter provides hosted software and related professional services for the City's online business portal that includes business, zoning, and residential modules for the provision of integrated information, registration, zoning, and permitting (Online Business Portal); and

WHEREAS, the City desires to extend the term of the Agreement for one (1) year to enable continued online deployment of the Online Business Portal for businesses and residents during the COVID-19 pandemic (Second Amendment) while a request for proposals for future services is developed; and

WHEREAS, under San Diego Charter section 99, no contract, agreement or obligation extending for a period of more than five years may be authorized except by Ordinance approved by a two-thirds majority vote of the Council; NOW, THEREFORE,

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

Section 1. The Council approves the Second Amendment.

Section 2. The Mayor, or designee, is authorized and directed to execute the Second Amendment, contingent upon the Chief Financial Officer certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer. A copy of the Second Amendment, when fully executed, shall be placed on file with the City Clerk as Document No. OO- 21317 .

Section 3. The Chief Financial Officer is authorized to expend \$118,500 from Fund 100000, General Fund, and \$78,750 from Fund 700036, Planning and Development Revenue Enterprise Fund, for a total amount of \$197,250, for the software license and maintenance services, contingent upon adoption of the annual Appropriation Ordinance for the applicable fiscal year, and the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

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

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

APPROVED: MARA W. ELLIOTT, City Attorney

By  /s/ Katherine A. Malcolm  
Katherine A. Malcolm  
Deputy City Attorney

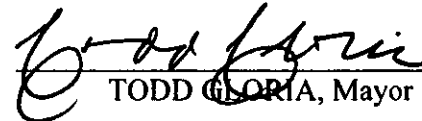
KAM:cm  
04/06/2021  
Or.Dept: Economic Dev't  
Doc. No.: 2627018

I certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of 05/12/2021.

ELIZABETH S. MALAND  
City Clerk

By /s/ Stacy D. Ready  
Deputy City Clerk

Approved: 5/12/21  
(date)

  
TODD GLORIA, Mayor

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

\_\_\_\_\_  
TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on MAY 12 2021, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<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"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 12 2021.

AUTHENTICATED BY: TODD GLORIA  
Mayor of The City of San Diego, California.

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

By [Signature], Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on APR 20 2021, and on MAY 12 2021.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

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

By [Signature], Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 21317