

#606
12/09/2024

(O-2025-50)

ORDINANCE NUMBER O- 21898 (NEW SERIES)

DATE OF FINAL PASSAGE DEC 1 8 2024

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING A CONTRACT WITH ENCODE
PLUS, LLC FOR MUNICIPAL CODE AND GOVERNING
DOCUMENTS HOSTING SOFTWARE.

RECITALS

The Council of the City of San Diego (Council) adopts this Ordinance based on the following:

A. The Legislative Services Division of the Office of the City Clerk (Office) provides technical and procedural support to the Council. The Office ensures the timely posting and distribution of the Council docket and conducts the record-keeping and preservation of the legislative proceedings.

B. The Office also coordinates public hearings and assists the public and City of San Diego (City) staff, including maintaining the San Diego Municipal Code (Municipal Code) and the City's other governing documents, such as the City Charter.

C. The Office currently hosts the Municipal Code and other governing documents on its website as PDF documents organized by chapter, article, and division. The Office maintains the Municipal Code using OpenText software.

D. Currently, City staff and the public can conduct basic searches and navigate the Municipal Code from separate chapters. However, there are none of the following: (1) internal weblinks to related sections or cited documents within the Municipal Code, or (2) links to historical versions of the Municipal Code. Additionally, the PDF format makes the Municipal Code less accessible on devices that are not computers, such as tablets and mobile phones.

E. Importing the City's Municipal Code into specialized governing document software will increase functionality for City staff, elected officials, and the public, maximizing access to local government to all City stakeholders.

F. On May 6, 2024, the City issued Request for Proposal Number 10090138-24-B for Municipal Code and Governing Documents Hosting Software (RFP), to assist the City in modernizing the online Municipal Code and other governing documents with more robust search options and intuitive viewing for all stakeholders (Project). The City received one proposal in response to the RFP. City staff selected enCode Plus, LLC (enCode) for its comprehensive software solution meeting the specifications and requirements of the RFP and provided optional additions to improve accessibility that may be added in the future, such as a zoning navigator and development calculators.

G. The Project will occur in phases. The first phase includes the following: (1) enCode staff working with the Office to import and link the current Municipal Code and City Charter, and (2) enCode providing training to the Office, who will be able to then train other City staff and the public on using the program.

H. The Office seeks Council authorization for the Mayor or designee to execute a contract with enCode for an initial term of five years, with the option to extend the term of the contract by five additional one-year periods, in an amount not-to-exceed \$200,000.00, for software to host the Municipal Code and other governing documents.

I. The Office of the City Attorney prepared this Ordinance based on the information provided by City staff (including information provided by affected third parties and verified by City staff), with the understanding that this information is complete and accurate.

J. The contract is subject to San Diego Charter section 99, which provides (subject to certain exceptions) that no contract, agreement, or obligation creating City indebtedness and extending for a period of more than five years may be authorized except by an ordinance adopted by a two-thirds majority of the Council.

ACTION ITEMS

Be it ordained by the Council of the City of San Diego:

Section 1. The Mayor, or his designee, is authorized to execute the contract with enCode Plus, LLC in a total amount not to exceed \$200,000 for up to ten years.

Section 2. The Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$200,000 from General Fund 100000, Office of the City Clerk, Business Area 1152, over the life of the contract, contingent upon the adoption of the Appropriation Ordinance for the applicable fiscal year and the Chief Financial Officer's furnishing a certificate certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Section 3. The Council dispenses with a full reading of this Ordinance before its passage because a written copy of this Ordinance was made available to the Council and the public before the date of its passage.

Section 4. This Ordinance will take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By


Hilda R. Mendoza
Senior Deputy City Attorney

HRM:nja
10/09/2024
Or. Dept: City Clerk
Doc. No. 3841045

I certify that the Council of the City of San Diego adopted this Ordinance at a meeting held on
_____ DEC 09 2024 _____

DIANA J.S. FUENTES
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 12/13/24
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

(Note: The date of final passage is December 18, 2024, which represents the day this ordinance was returned to the Office of the City Clerk with the Mayor's signature of approval.)

Passed by the Council of The City of San Diego on DEC 09 2024, 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Henry L. Foster III	<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"/>
Kent Lee	<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 DEC 18 2024.

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By *Kinda Arwin*, 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

NOV 12 2024, and on DEC 18 2024.

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)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By *Kinda Arwin*, Deputy
For Connie Patterson

Office of the City Clerk, San Diego, California
Ordinance Number O- 21898