



City of Saint Paul

City Hall and Court House
15 West Kellogg Boulevard
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Legislation Text

File #: RES 15-2001, **Version:** 1

Authorizing the City to enroll in the Apple Developer Program and enter into Apple Mac App Store, App Store, App Store for Apple TV, and iBooks Store Terms and Conditions to develop and distribute apps on the App Store and the Mac App Store.

WHEREAS, the Office of Technology and Communications wishes to enroll in the Apple Developer Program to develop and make available apps on the App Store and the Mac App Store to residents, businesses and visitors with the purpose of delivering the convenience and immediacy of a mobile device experience to City communications, services, and community engagement.

WHEREAS, enrollment in the Apple Developer Program requires that the City agree to Apple Mac App Store, App Store, App Store for Apple TV, and iBooks Store Terms and Conditions;

WHEREAS, the Apple Mac App Store, App Store, App Store for Apple TV, and iBooks Store Terms and Conditions require the City to defend and indemnify Apple for any breach of the agreement by the City, City actions or omissions in connection with its development and distribution of apps through the App Store, and for any action taken by Apple to investigate a suspected violation of the terms and conditions or as a result of an Apple finding that the City has violated a term or condition of the Agreement;

WHEREAS, the City cannot distribute apps that will help connect Saint Paul residents, businesses, and visitors through the App Store without entering into the Terms and Conditions; and

WHEREAS, the Terms and Conditions specify that the jurisdiction and venue be in California, which the City Attorney's Office has agreed to providing that all costs of litigation in that jurisdiction are borne by the Office of Technology and Communications; now, therefore, be it

RESOLVED, that the Office of Technology and Communications is authorized enroll in the Apple Developer Program and enter into Apple Mac App Store, App Store, App Store for Apple TV, and iBooks Store Terms and Conditions to develop and distribute apps on the App Store and the Mac App Store, which includes a promise of indemnification and a choice of law other than Minnesota.