



Legislation Text

File #: RES 15-2003, **Version:** 1

Authorizing the City to enroll in the Google Play Developer Distribution Agreement to develop and distribute apps on the Google Store.

WHEREAS, the Office of Technology and Communications wishes to develop and make apps available on the Google Play 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, in order to distribute apps through the Google Play Store, the City must agree to the Google Play Developer Distribution Agreement;

WHEREAS, the Developer Distribution Agreement requires the City to defend and indemnify Google for any claims or suits arising out of or accruing from the City's use of the Store in violation of the Agreement, any intellectual property infringement by the City, and any violation of individual rights of publicity or privacy. The Developer Distribution Agreement further requires the City to defend and indemnify payment processors for claims arising out of or accruing from taxes related to the City's distribution of products through the Google Play Store;

WHEREAS, the City cannot distribute apps that will help connect Saint Paul residents, businesses, and visitors through the Google Play Store without entering into the Developer Distribution Agreement; and

WHEREAS, the Developer Distribution Agreement specifies 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 to enter into the Google Play Developer Distribution Agreement to develop and distribute apps on the Google Play Store, which includes a promise of indemnification and a choice of law other than Minnesota.