

1 [Grant -State]

2  
3 AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, POPULATION HEALTH AND  
4 PREVENTION DIVISION, COMMUNITY HEALTH PROMOTION AND PREVENTION, TO  
5 ACCEPT RETROACTIVELY AND EXPEND A GRANT OF \$450,000 FROM THE CALIFORNIA  
6 DEPARTMENT OF HEALTH SERVICES TO PROVIDE CHILDREN AND YOUTH DOMESTIC  
7 VIOLENCE FREE SERVICES AND TO ENTER INTO AN AGREEMENT WHICH INCLUDES  
8 INDEMNIFICATION AND RIGHTS IN DATA CLAUSES AND WHICH DOES NOT INCLUDE  
9 PATENT INFRINGEMENT INDEMNIFICATION AND FALSE CLAIMS CLAUSES.

10 WHEREAS, The Department of Public Health has applied for and been awarded a grant from  
11 The California Department of Health Services in the amount of \$450,000 to provide domestic violence  
12 prevention services for the Children and Youth DV Free Project; and,

13 WHEREAS, As a condition of receiving the grant funds, The California Department of Health  
14 Services requires the City to enter into an agreement (the "Agreement"), a copy of which is on file with  
15 the Clerk of the Board of Supervisors in File No. 001453; and

16 WHEREAS, The Agreement contains certain provisions described below, which require the  
17 approval of the Board of Supervisors; and,

18 WHEREAS, The Agreement does not contain certain provisions described below, which are  
19 required under the Administrative Code unless waived by the Board of Supervisors; and,

20 WHEREAS, The grant budget includes provision for indirect costs of \$19,181; now, therefore,  
21 be it

22 RESOLVED, That the Department of Public Health is hereby authorized to accept  
23 retroactively and expend the grant funds pursuant to San Francisco Administrative Code section  
24 10.170-1; and, be it

25  
Supervisors Teng, Bierman, Becerril

1 FURTHER RESOLVED, That the Director of Health is authorized to enter into the Agreement  
2 on behalf of the City; and, be it

3 FURTHER RESOLVED, That the Board of Supervisors hereby approves the provision in the  
4 Agreement pursuant to which the City indemnifies The California Department of Health Services;  
5 and, be it

6 FURTHER RESOLVED, That the Board of Supervisors hereby approves the provision in the  
7 Agreement pursuant to which the City agrees to grant a royalty-free, nonexclusive, and irrevocable  
8 license for the use of data developed under the contract; and, be it

9 FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement  
10 contained in Section 21.21 of the Administrative Code that the Agreement include an indemnification  
11 of the City by The California Department of Health Services for the infringement of patent rights,  
12 copyright, trademark, and other intellectual property rights; and, be it

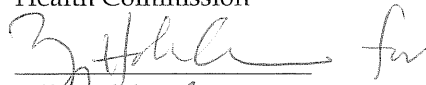
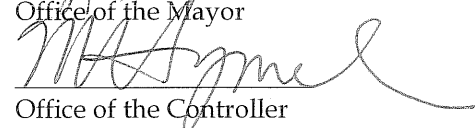
13 FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement that the  
14 Agreement include a paragraph reciting the false claims provisions contained in Section 21.35 of the  
15 Administrative Code: and, be it

16 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Health to  
17 enter into similar agreements with The California Department of Health Services if the grant recurs or  
18 is renewed.

19 RECOMMENDED:

20  
21   
22 Director of Health

APPROVED:

23 Julie S. Kelly for Sandy Mori  
24 Health Commission  
25  for  
Office of the Mayor  
  
Office of the Controller

Department of Public Health



# City and County of San Francisco

## Tails

## Resolution

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**File Number:** 001453

**Date Passed:**

Resolution authorizing the Department of Public Health, Population Health and Prevention Division, Community Health Promotion and Prevention, to accept retroactively and expend a grant of \$450,000 from the California Department of Health Services to provide children and youth domestic violence free services and to enter into an agreement which includes indemnification and rights in data clauses and which does not include patent infringement indemnification and false claims clauses.

September 18, 2000 Board of Supervisors — ADOPTED

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Kaufman, Leno, Newsom, Teng,  
Yaki, Yee

Absent: 1 - Katz

File No. 001453

I hereby certify that the foregoing Resolution  
was ADOPTED on September 18, 2000 by the  
Board of Supervisors of the City and County  
of San Francisco.



Gloria L. Young  
Clerk of the Board

SEP 21 2000

Date Approved



Mayor Willie L. Brown Jr.