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[Grant -State]

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, POPULATION HEALTH AND PREVENTION DIVISION, COMMUNITY HEALTH PROMOTION AND PREVENTION, TO ACCEPT RETROACTIVELY AND EXPEND GRANT FUNDS OF \$40,000 FROM THE CALIFORNIA DEPARTMENT OF HEALTH SERVICES TO PROVIDE A SAFE COMMUNITIES PLANNING AND DEVELOPMENT PROGRAM AND TO ENTER INTO AN AGREEMENT WHICH INCLUDES RIGHTS IN DATA CLAUSES AND WHICH DOES NOT INCLUDE INTELLECTUAL PROPERTY INDEMNIFICATION AND FALSE CLAIMS CLAUSES.

WHEREAS, The Department of Public Health has applied for and been awarded a grant from The California Department of Health Services in the amount of \$40,000 to provide a Safe Communities planning and development program; and,

WHEREAS, As a condition of receiving the grant funds, The California Department of Health Services requires the City to enter into an agreement (the "Agreement"), a copy of which is on file with the Clerk of the Board of Supervisors in File No. 000555; and

WHEREAS, The Agreement contains a certain provision described below, which requires the approval of the Board of Supervisors; and,

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

WHEREAS, The grant budget includes provision for indirect costs of \$3,278; now, therefore, be it

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

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

Supervisors Teng, Katz, Bierman

1 FURTHER RESOLVED, That the Board of Supervisors hereby approves the provision in the  
2 Agreement pursuant to which the City agrees to grant a royalty-free and nonexclusive license for the  
3 use of data developed under the contract; and, be it  
4

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

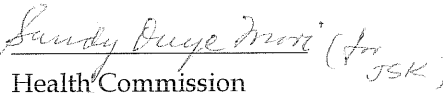
9 FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement that the  
10 Agreement include a paragraph reciting the false claims provisions contained in Section 21.35 of the  
11 Administrative Code: and, be it

12 FURTHER RESOLVED, That the Board of Supervisors authorizes the Department of Public  
13 Health to enter into similar agreements with The California Department of Health Services if the grant  
14 recurs or is renewed.

15 RECOMMENDED:

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17 Director of Health

APPROVED:

18   
19 Health Commission

20   
21 Office of the Mayor

22   
23 Office of the Controller

24  
25 Department of Public Health



# City and County of San Francisco

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

## Tails

## Resolution

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**File Number:** 000555

**Date Passed:**

Resolution authorizing the Department of Public Health, Population Health and Prevention Division, Community Health Promotion and Prevention, to accept retroactively and expend grant funds of \$40,000 from the California Department of Health Services to provide a safe communities planning and development program and to enter into an agreement which includes rights in data clauses and which does not include intellectual property indemnification and false claims clauses.

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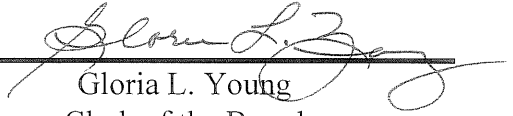
April 3, 2000 Board of Supervisors — ADOPTED

Ayes: 8 - Ammiano, Becerril, Katz, Kaufman, Leno, Newsom, Teng, Yee

Absent: 3 - Bierman, Brown, Yaki

File No. 000555

I hereby certify that the foregoing Resolution was ADOPTED on April 3, 2000 by the Board of Supervisors of the City and County of San Francisco.



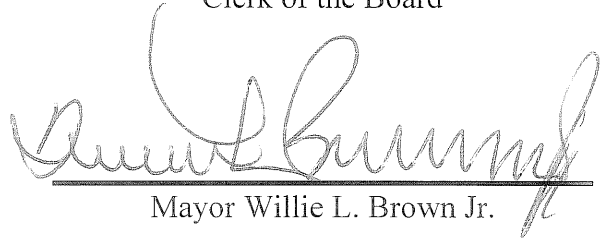
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Gloria L. Young  
Clerk of the Board

APR 14 2000

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Date Approved



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Mayor Willie L. Brown Jr.