

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

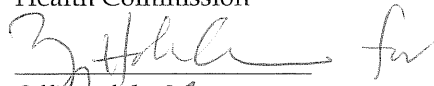
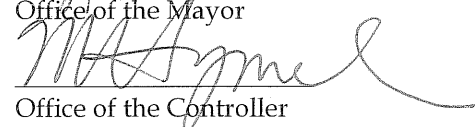
13 FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement that the
14 Agreement include a paragraph reciting the false claims provisions contained in Section 21.35 of the
15 Administrative Code: and, be it

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 
Office of the Mayor

Office of the Controller

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

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.

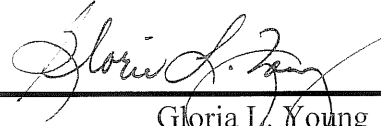
September 18, 2000 Board of Supervisors — ADOPTED

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.