



## Request for City Council Committee Action from the Information Technology Department

Date May 21, 2013

To: The Honorable Betsy Hodges, Chair, Ways and Means Committee

Subject: Execute Software License Agreement Between City of Minneapolis and Washington County for the Health Benefits Calculator Software

Recommendation: IT requests authorization for proper City officials to execute a license agreement with Washington County for use of the City of Minneapolis Health Benefits Calculator software, using terms and conditions established with the City Attorney's Office

Prepared by Elise Ebhardt, Interagency Coordinator, 612-673-2026

Submitted by Otto Doll \_\_\_\_\_, 673-3633  
Chief Information Officer

Approved by Paul Aasen \_\_\_\_\_  
City Coordinator

Presenter in Committee Otto Doll

Policy Review Group  Not Applicable

Permanent Review Committee (PRC)  Not Applicable

Prior Related Directives:

**Financial Impact:** None. No additional appropriation is required.

<p><b>Financial Impact</b> (Check those that apply)</p> <p><input checked="" type="checkbox"/> No financial impact (If checked, go directly to Background/Supporting Information)</p> <p><input type="checkbox"/> Action requires an appropriation increase to the Capital Budget</p> <p><input type="checkbox"/> Action requires an appropriation increase to the Operating Budget</p> <p><input type="checkbox"/> Action provides increased revenue for appropriation increase</p> <p><input checked="" type="checkbox"/> Request provided to department's finance contact prior to the Committee Coordinator</p>
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### **Background/Supporting Information**

In 2005 the City of Minneapolis IT Department developed a software tool, referred to as the Health Benefits Calculator, for use by City of Minneapolis employees to assist them with the annual election of health insurance plans during the City's open enrollment period. The County of Washington, Minnesota is requesting a license to use the City's Health Benefits Calculator software so its employees can use the tool for the same or similar purpose. The City's IT Department has reviewed the request with the City Attorney's Office and is willing to grant a license to Washington County to use the software as long as specific terms and conditions are established and approved.

The City Attorney's Office has drafted a license agreement between the City of Minneapolis and Washington County for the Health Benefits Calculator software and incorporated the necessary terms and conditions to safeguard the City, including the following:

- All patents, copyrights, and other proprietary rights in or related to the software are and will remain the exclusive property of the City of Minneapolis.
- Washington County:
  - Accepts a personal, nonexclusive, nontransferable, nonassignable license to use the software and shall have the right to translate, reverse engineer, update, or modify all or any part of the software or merge the software into any other software subject to the terms provided in the agreement.
  - Will maintain the "not public status" of this proprietary information and not sell, license, publish, display, distribute, disclose or otherwise make available this information to any third party nor use such information except as authorized by the agreement.
  - Agrees to comply with the Minnesota Government Data Practices Act and all other applicable state and federal laws relating to data privacy or confidentiality.
  - Agrees to the City's terms related to warranty disclaimer, limitation of liability, and indemnification.

There is no fee associated with the software license and the City of Minneapolis will not provide support services related to the software or the agreement.

### **Request for Approval**

IT requests authorization for proper City officials to execute a license agreement with Washington County for use of the City of Minneapolis Health Benefits Calculator software, using terms and conditions established with the City Attorney's Office.