

1 [Grant – State]

2
3 AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, POPULATION HEALTH AND
10/14/99 PREVENTION DIVISION, TO ACCEPT ~~RETROACTIVELY~~ AND EXPEND ^{RETROACTIVELY} GRANT FUNDS
grh 4 IN THE AMOUNT OF \$46,816 FROM THE OFFICE OF EMERGENCY SERVICES FOR
5 THE Y2K HAZARDOUS MATERIALS PROJECT AND TO ENTER INTO AN AGREEMENT
6 WHICH DOES NOT INCLUDE PATENT INFRINGEMENT INDEMNIFICATION AND
7 FALSE CLAIMS CLAUSES; WAIVING INDIRECT COSTS AND PROVIDING FOR
8 RATIFICATION OF ACTION PREVIOUSLY TAKEN.

9 WHEREAS, The Department of Public Health has applied for and been awarded a grant
10 from the Office of Emergency Services in the amount of \$46,816 to fund the participation of
11 San Francisco in the Y2K Hazardous Materials Project; and,

12 WHEREAS, As a condition of receiving the grant funds, the Office of Emergency
13 Services requires the City to enter into an agreement (the "Agreement"); a copy of which is on
14 file with the Clerk of the Board of Supervisors in File No. 991765 ; and,

15 WHEREAS, The Office of Emergency Services has indicated that it will not agree to any
16 modification to the form of the Agreement; and,

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

20 RESOLVED, That the Department of Public Health is hereby authorized to accept
10/14/99 ~~retroactively~~ and expend ^{retroactively} the grant funds pursuant to San Francisco Administrative Code Section
grh 10.170-1; and, be it

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

23 FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement
24 contained in Sections 6.21 and 21.19 of the Administrative Code that the Agreement include an
25 indemnification of the City for the infringement of patent rights; and, be it

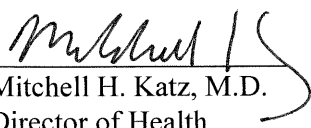
1 FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement
2 contained in Section 6.57 (c) of the Administrative Code that the Agreement include a paragraph
3 reciting the false claim provisions contained in Section 6.57 (a) of the Administrative Code; and,
4 be it

5 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
6 Public Health to enter into similar agreements with the Office of Emergency Services if the grant
7 recurs or is renewed; and, be it

8 FURTHER RESOLVED, That the Board of Supervisors does hereby waive indirect
9 costs; and, be it

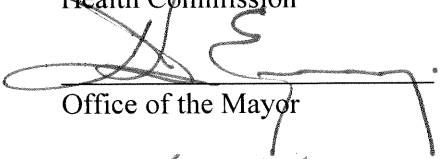
10 FURTHER RESOLVED, That although the City has incurred no legal obligation, the
11 Board of Supervisors does hereby ratify the action previously taken.


12 RECOMMENDED:

13 
14 Mitchell H. Katz, M.D.
15 Director of Health

16 APPROVED:

17 
18 Health Commission

19 
20 Office of the Mayor

21 
22 Office of the Controller

23 Department of Public Health
24
25



City and County of San Francisco

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

Tails

Resolution

File Number: 991765

Date Passed:

Resolution authorizing the Department of Public Health, Population Health and Prevention Division, to accept and expend retroactively grant funds in the amount of \$46,816 from the Office of Emergency Services for the Y2K Hazardous Materials Project and to enter into an agreement which does not include patent infringement indemnification and false claims clauses; waiving indirect costs and providing for ratification of action previously taken.

October 25, 1999 Board of Supervisors — ADOPTED

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

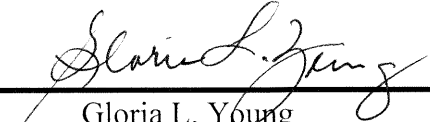
Absent: 1 - Becerril

File No. 991765

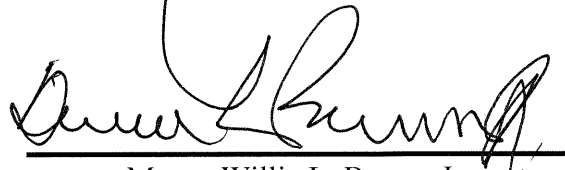
I hereby certify that the foregoing Resolution was ADOPTED on October 25, 1999 by the Board of Supervisors of the City and County of San Francisco.

NOV - 5 1999

Date Approved



Gloria L. Young
Clerk of the Board



Mayor Willie L. Brown Jr.