

1 (Grant - State)

2
3 AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, DIVISION OF POPULATION
4 HEALTH AND PREVENTION, COMMUNITY HEALTH AND SAFETY, TO
5 RETROACTIVELY ACCEPT AND EXPEND A GRANT IN THE AMOUNT OF \$22,695
6 FROM THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FOR THE
7 SOLID WASTE FACILITIES PERMIT AND INSPECTION PROGRAM AND TO ENTER
8 INTO AN AGREEMENT WHICH INCLUDES AN INDEMNIFICATION CLAUSE AND
9 DOES NOT INCLUDE PATENT INFRINGEMENT INDEMNIFICATION AND FALSE
CLAIMS CLAUSES; WAIVING INDIRECT COSTS.

10 WHEREAS, The Department of Public Health has applied for and been awarded a
11 grant from The California Integrated Waste Management Board in the amount of \$22,695 to
12 fund the solid waste facilities permit and inspection program; and,

13 WHEREAS, As a condition of receiving the grant funds, the California Integrated
14 Waste Management Board requires the City to enter into an agreement (the "Agreement"), a
15 copy of which is on file with the Clerk of the Board of Supervisors in File No. 98-1642 ; and

16 WHEREAS, The California Integrated Waste Management Board has indicated that it
17 will not agree to any modification to the form of the Agreement; and,

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

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

22 WHEREAS, The Board of Supervisors desires to authorize the Department of Public
23 Health, on behalf of the City, to enter into the Agreement in order to receive and expend the
24 grant funds for this and any future years; and

25 WHEREAS, The California Integrated Waste Management Board does not allow for
indirect cost; now, therefore, be it

RESOLVED, That the Department of Public Health is hereby authorized to retroactively
accept and expend the grant funds of \$22,695 from the California Integrated Waste Management
Board pursuant to San Francisco Administrative Code section 10.170-1; and, be it

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

3 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
4 Public Health to enter into similar agreements with the California Integrated Waste Management
5 Board if the grant recurs or is renewed; and, be it

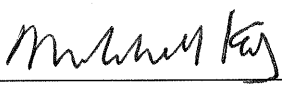
6 FURTHER RESOLVED, That the Board of Supervisors hereby approves the provision
7 in the Agreement pursuant to which the City indemnifies The California Integrated Waste
8 Management Board; and, be it

9 FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement
10 contained in Sections 6.21 and 21.19 of the Administrative Code that the Agreement include an
11 indemnification of the City by the California Integrated Waste Management Board for the
12 infringement of patent rights; and, be it



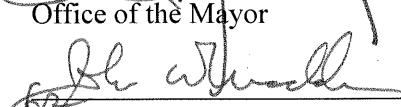
13 FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement
14 contained in Section 6.57(c) of the Administrative Code that the Agreement include a paragraph
15 reciting the false claim provisions contained in Section 6.57 (a) of the Administrative Code; and,
16 be it

17 FURTHER RESOLVED, That the Board of Supervisors does hereby waive indirect
18 costs.

19 RECOMMENDED:

20 
21 Mitchell H. Katz, M.D.
22 Director of Health

23 APPROVED:

24 
25 Health Commission

Office of the Mayor

Office of the Controller

Department of Public Health



City and County of San Francisco

Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102-4532

Tails

Resolution

File Number: 981642

Date Passed:

Resolution authorizing the Department of Public Health, Division of Population Health and Prevention, Community Health and Safety, to retroactively accept and expend a grant in the amount of \$22,695 from the California Integrated Waste Management Board for the solid waste facilities permit and inspection program and to enter into an agreement which includes an indemnification clause and does not include patent infringement indemnification and false claims clauses; waiving indirect costs.

November 2, 1998 Board of Supervisors — ADOPTED

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

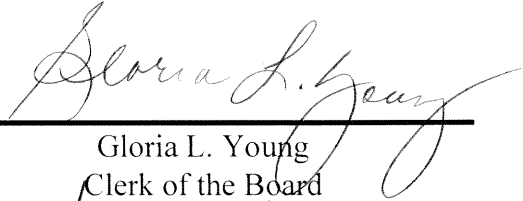
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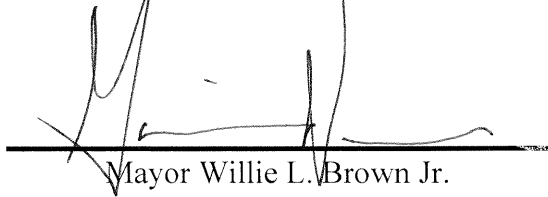
I hereby certify that the foregoing Resolution was ADOPTED on November 2, 1998 by the Board of Supervisors of the City and County of San Francisco.

NOV 13 1998

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Date Approved


Gloria L. Young
Clerk of the Board


Mayor Willie L. Brown Jr.