

1 [Grant – Private]

2
3 AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, CENTRAL
4 ADMINISTRATION, TO ACCEPT RETROACTIVELY AND EXPEND A GRANT IN THE
5 AMOUNT OF \$119,250 FROM THE CALIFORNIA HEALTHCARE FOUNDATION FOR
6 PLANNING AN INNOVATIVE LONG-TERM CARE SERVICE DELIVERY SYSTEM FOR
7 FRAIL ELDERLY AND DISABLED ADULTS IN SAN FRANCISCO AND TO ENTER INTO
8 AN AGREEMENT WHICH DOES NOT INCLUDE PATENT INFRINGEMENT
9 INDEMNIFICATION AND FALSE CLAIMS CLAUSES; PROVIDING FOR RATIFICATION
10 OF ACTION PREVIOUSLY TAKEN.

11 WHEREAS, The Department of Public Health has applied for and been awarded a grant
12 from the California HealthCare Foundation in the amount of \$119,250 to complete planning for
13 an innovative long-term care service delivery system for frail elderly and disabled adults in San
14 Francisco; and,

15 WHEREAS, As a condition of receiving the grant funds, the U.S. Department of
16 Commerce requires the City to enter into an agreement (the "Agreement"), a copy of which is on
17 file with the Clerk of the Board of Supervisors in File No. 990039; and,

18 WHEREAS, The California HealthCare Foundation has indicated that it will not agree
19 to any modification to the form of the provisions of the Agreement; 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 comply with the provisions of the Agreement in order to receive
24 and expend the grant funds for this and any future years; now, therefore, be it

25 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

1 FURTHER RESOLVED, That the Director of Health is authorized to accept the grant
2 funds and the provisions of the Agreement on behalf of the City; and, be it

3 FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement
4 contained in Sections 6.21 and 21.19 of the Administrative Code that the provisions of the
5 Agreement include an indemnification of the City by the California HealthCare Foundation for
6 the infringement of patent rights; and, be it


7 FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement
8 contained in Section 6.57 (c) of the Administrative Code that the provisions of the award include
9 a paragraph reciting the false claim provisions contained in Section 6.57 (a) of the
10 Administrative Code; and, be it

11 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
12 Public Health to enter into similar agreements with the California HealthCare Foundation if the
13 grant recurs or is renewed; and, be it

14 FURTHER RESOLVED, That the Director of Health and/or the Health Commission can
15 make amendments to this agreement; and, be it

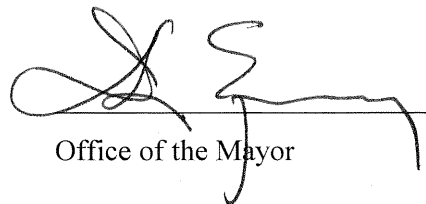
16 FURTHER RESOLVED, That although the City has incurred no legal obligation, the
17 Board of Supervisors does hereby ratify the action previously taken.

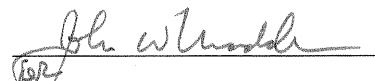
18 RECOMMENDED:

19 
20 Mitchell H. Katz, M.D.
21 Director of Health

22 APPROVED:

23 
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: 990039

Date Passed:

Resolution authorizing the Department of Public Health, Central Administration, to accept retroactively and expend a grant in the amount of \$119,250 from the California HealthCare Foundation for planning an innovative long-term care service delivery system for frail elderly and disabled adults in San Francisco and to enter into an agreement which does not include patent infringement indemnification and false claims clauses; providing for ratification of action previously taken.

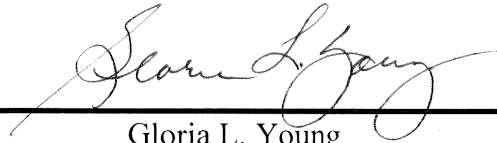
February 8, 1999 Board of Supervisors — ADOPTED

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

Absent: 1 - Katz

File No. 990039

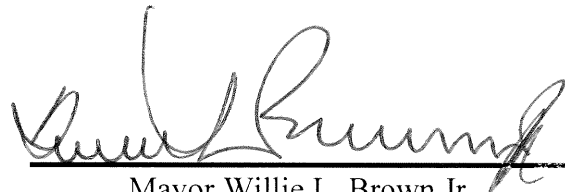
I hereby certify that the foregoing Resolution was ADOPTED on February 8, 1999 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

FEB 19 1999

Date Approved



Mayor Willie L. Brown Jr.

File No. 990039 continued...