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[Grant – Federal]

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, COMMUNITY HEALTH AND SAFETY SERVICES, EMERGENCY MEDICAL SERVICES, TO ACCEPT RETROACTIVELY AND EXPEND A GRANT IN THE AMOUNT OF \$200,000 FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO CONTINUE THE DEVELOPMENT OF THE METROPOLITAN MEDICAL RESPONSE SYSTEM AND TO ENTER INTO AN AGREEMENT WHICH DOES NOT INCLUDE PATENT INFRINGEMENT INDEMNIFICATION AND FALSE CLAIMS CLAUSES; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN; WAIVING INDIRECT COSTS.

WHEREAS, The Department of Public Health, Community Health and Safety Services, Emergency Medical Services (EMS) Section, has applied for and been awarded a grant from the Department of Health and Human Services in the amount of \$200,000 to continue the development of the Metropolitan Medical Response System; and,

WHEREAS, As a condition of receiving the grant funds, the Department of Health and Human Services requires the City to enter into an agreement (the “Agreement”), a copy of which is on file with the Clerk of the Board of Supervisors in File No. 992189; and,

WHEREAS, the Department of Health and Human Services has indicated that it will not agree to any modification to the form of the Agreement; and,

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

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

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

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

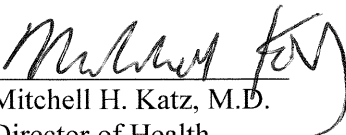
1 FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement
2 contained in Sections 6.21 and 21.19 of the Administrative Code that the Agreement include an
3 indemnification of the City by The Department of Health and Human Services for the
4 infringement of patent rights; and, be it

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

9 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
10 Health to enter into similar agreements with the Department of Health and Human Services if the
11 grant recurs or is renewed; and, be it


12 FURTHER RESOLVED, The Controller should be urged to designate the part-time
13 positions created under the grant as "G" or grant-funded positions, which would terminate when
14 the grant expires.

15 RECOMMENDED:

16 
17 Mitchell H. Katz, M.D.
18 Director of Health

19 APPROVED:

20 
21 Health Commission

22 
23 Office of the Mayor

24 
25 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: 992189

Date Passed:


Resolution authorizing the Department of Public Health, Community Health and Safety Services, Emergency Medical Services, to accept retroactively and expend a grant in the amount of \$200,000 from the Department of Health and Human Services to continue the development of the Metropolitan Medical Response System and to enter into an agreement which does not include patent infringement indemnification and false claims clauses; providing for ratification of action previously taken; waiving indirect costs.

December 20, 1999 Board of Supervisors — ADOPTED

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


File No. 992189

I hereby certify that the foregoing Resolution was ADOPTED on December 20, 1999 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

DEC 30 1999

Date Approved


Mayor Willie L. Brown Jr.