

FILE NO. 992314

RESOLUTION NO. 53-00

[Grant - Federal]

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, POPULATION HEALTH AND PREVENTION, COMMUNITY HEALTH AND SAFETY, TO ACCEPT RETROACTIVELY AND EXPEND A GRANT IN THE AMOUNT OF \$359, 813 FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, CENTER FOR DISEASE CONTROL AND PREVENTION, FOR THE "HIV RELATED APPLIED RESEARCH & PROFESSIONAL EDUCATION PROJECT" AND TO ENTER INTO AN AGREEMENT WHICH DOES NOT INCLUDE PATENT INFRINGEMENT INDEMNIFICATION AND FALSE CLAIMS CLAUSES; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

WHEREAS, The Department of Public Health, Population Health and Prevention, Community Health and Safety Services, has applied for and been awarded a grant from the Department of Health and Human Services (DHHS), Center for Disease Control and Prevention (CDC), in the amount of \$359,813, for the "HIV Related Applied Research & Professional Education Project"; and,

WHEREAS, As a condition of receiving the grant funds, DHHS, CDC 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. 992314 ; and,

WHEREAS, DHHS, CDC 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

Supervisor Newsom

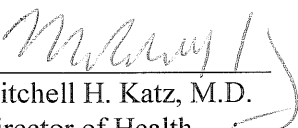
1 FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement
2 contained in Sections 6.21 and 21.19 of the Administrative Code that the Agreement include an
3 indemnification of the City by DHHS, CDC for the infringement of patent rights; and, be it

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

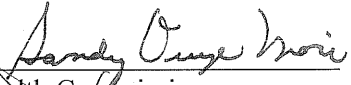
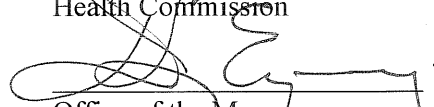
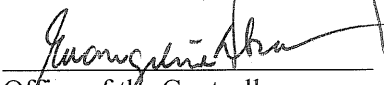
8 ~~FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
9 Health to enter into similar agreements with DHHS, CDC if the grant recurs or is renewed, and,
10 be it~~

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

14 RECOMMENDED:

15 
16 Mitchell H. Katz, M.D.
17 Director of Health

18 APPROVED:

19 
20 Health Commission
21 
22 Office of the Mayor
23 
24 Office of the Controller

25 Department of Public Health

gj
1/13
↓



City and County of San Francisco

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

Tails

Resolution

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Date Passed:

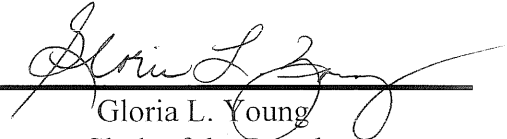
Resolution authorizing the Department of Public Health, Population Health and Prevention, Community Health and Safety, to accept retroactively and expend a grant in the amount of \$359,813 from the Department of Health and Human Services, Center for Disease Control and Prevention, for the "HIV Related Applied Research and Professional Education Project" and to enter into an agreement which does not include patent infringement indemnification and false claims clauses; providing for ratification of action previously taken.

January 24, 2000 Board of Supervisors — ADOPTED

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

File No. 992314


I hereby certify that the foregoing Resolution was ADOPTED on January 24, 2000 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board



Date Approved



Mayor Willie L. Brown Jr.