

1 [Grant -Private]

2 AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, POPULATION HEALTH AND
3 PREVENTION DIVISION, COMMUNITY SUBSTANCE ABUSE SERVICES, TO ACCEPT
4 RETROACTIVELY AND EXPEND GRANT FUNDS OF \$60,000 FROM THE SAN FRANCISCO
5 FOUNDATION FOR A COMMUNITY PLANNING PROCESS AND TO ENTER INTO AN
6 AGREEMENT WHICH INCLUDES AN INDEMNIFICATION CLAUSE AND DOES NOT INCLUDE
7 PATENT INFRINGEMENT INDEMNIFICATION AND FALSE CLAIMS CLAUSES; PROVIDING
8 FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN; WAIVING INDIRECT COSTS.

9 WHEREAS, The Department of Public Health has applied for and been awarded a grant from
10 The San Francisco Foundation in the amount of \$60,000 for a Community Planning Process to develop
11 a strategic plan for substance abuse services; and,

12 WHEREAS, As a condition of receiving the grant funds, The San Francisco Foundation
13 requires the City to enter into an agreement (the "Agreement"), a copy of which is on file with the
14 Clerk of the Board of Supervisors in File No. 000237 ; and

15 WHEREAS, the Agreement contains a certain provision described below, which requires the
16 approval of the Board of Supervisors; and

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

20 RESOLVED, That the Department of Public Health is hereby authorized to accept
21 retroactively and expend the grant funds pursuant to San Francisco Administrative Code section
22 10.170-1; and, be it

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

25 Supervisor Newsom

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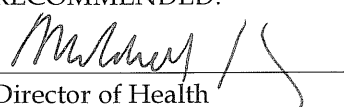
FURTHER RESOLVED, That the Board of Supervisors hereby approves the provision in the Agreement pursuant to which the City indemnifies The San Francisco Foundation; and, be it


FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement contained in Sections 6.21 and 21.21 of the Administrative Code that the Agreement include an indemnification of the City by The California Department of Health Services for the infringement of patent rights; and, be it

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

FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Health to enter into similar agreements with The San Francisco Foundation if the grant recurs or is renewed; and, be it

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

RECOMMENDED:

Director of Health

APPROVED:

Health Commission


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: 000237

Date Passed:

Resolution authorizing the Department of Public Health, Population Health and Prevention Division, Community Substance Abuse Services, to accept retroactively and expend grant funds of \$60,000 from the San Francisco Foundation for a Community Planning Process and to enter into an agreement which includes an indemnification clause and does not include patent infringement indemnification and false claims clauses; providing for ratification of action previously taken; waiving indirect costs.

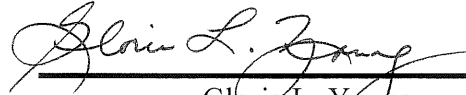
March 6, 2000 Board of Supervisors — ADOPTED

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

Absent: 1 - Bierman

File No. 000237

I hereby certify that the foregoing Resolution was ADOPTED on March 6, 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.