

FILE NO. 000692

RESOLUTION NO. 470-00

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[Grant-State]

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, POPULATION HEALTH AND PREVENTION, URBAN COMMUNITY HEALTH, TO ACCEPT RETROACTIVELY AND EXPEND GRANT FUNDS OF \$30,000 FROM THE STATE OFFICE OF AIDS, FOR THE HIV POST-EXPOSURE PROPHYLAXIS PROJECT AND TO ENTER INTO AN AGREEMENT WHICH INCLUDES AN INDEMNIFICATION CLAUSE AND DOES NOT INCLUDE INTELLECTUAL PROPERTY INDEMNIFICATION AND FALSE CLAIMS CLAUSES.

WHEREAS, The Department of Public Health has applied for and been awarded a grant from The State Office of AIDS, in the amount of \$30,000 for the HIV Post-Exposure Prophylaxis After Sexual Assault Project; and,

WHEREAS, As a condition of receiving the grant funds, The State Office of AIDS 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. 000692; and

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

WHEREAS, The Department proposes to maximize use of available grant funds on program expenditures by not including indirect costs in the grant budget; 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

1 FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect
2 costs in the grant budget; and, be it

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

5 FURTHER RESOLVED, That the Board of Suprvisors hereby approves the provision in the
6 Agreement pursuant to which the City indemnifies the State Office of AIDS; and, be it

7 FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement
8 contained in Section 21.21 of the Administrative Code that the Agreement includes an indemnification
9 of the City by The State Office of AIDS for the infringement of patent rights, copyright, trademark, and
10 other intellectual property rights; and, be it

11 FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement that the
12 Agreement includes a paragraph reciting the false claims provisions contained in Section 21.35 of the
13 Administrative Code; and, be it

14 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Health to
15 enter into similar agreements with the State Office of AIDS if the grant recurs or is renewed; and, be it


16 FURTHER RESOLVED, The Controller is urged to designate the position created under the
17 grant as "G" or grant-funded position, which would terminate when the grant expires.

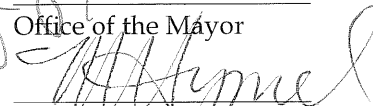
18 RECOMMENDED:

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20 Director of Health

APPROVED:

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22 Health Commission

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24 Office of the Mayor

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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: 000692

Date Passed:

Resolution authorizing the Department of Public Health, Population Health and Prevention, Urban Community Health, to accept retroactively and expend grant funds of \$30,000 from the State Office of AIDS, for the HIV Post-Exposure Prophylaxis Project and to enter into an agreement which includes an indemnification clause and does not include intellectual property indemnification and false claims clauses.

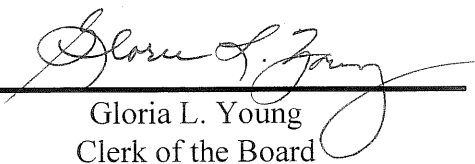
May 22, 2000 Board of Supervisors — ADOPTED

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

Absent: 1 - Newsom

File No. 000692

I hereby certify that the foregoing Resolution was ADOPTED on May 22, 2000 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

JUN - 2 2000
Date Approved


Mayor Willie L. Brown Jr.