

FILE NO. 000070RESOLUTION NO. 105-00

1 [Grant – Federal]

2
3 AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, POPULATION HEALTH AND
4 PREVENTION, COMMUNITY MENTAL HEALTH SERVICES, TO ACCEPT
5 RETROACTIVELY AND EXPEND A GRANT IN THE AMOUNT OF \$246,423 FROM THE
6 DEPARTMENT OF HEALTH AND HUMAN SERVICES, SAMHSA, FOR THE SAN
7 FRANCISCO PRACTICE /RESEARCH COLLABORATIVE PROJECT AND TO ENTER
8 INTO 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, Population Health and Prevention,
12 Community Mental Health Services, has applied for and been awarded a grant from the
13 Department of Health and Human Services, Substance Abuse and Mental Health Services
14 Administration (SAMHSA) in the amount of \$246,423 for the San Francisco Practice /Research
15 Collaborative Project and,

16 WHEREAS, As a condition of receiving the grant funds, SAMHSA requires the City to
17 enter into an agreement (the "Agreement"), a copy of which is on file with the Clerk of the
18 Board of Supervisors in File No. 000070; and,

19 WHEREAS, SAMHSA has indicated that it will not agree to any modification to the
20 form of the Agreement; and,

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

24 RESOLVED, That the Department of Public Health is hereby authorized to accept
25 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

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FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement contained in Sections 6.21 and ^{21.21}~~21.19~~ of the Administrative Code that the Agreement include an indemnification of the City by SAMHSA 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 SAMHSA if the grant recurs or is renewed.

RECOMMENDED:



Mitchell H. Katz, M.D.
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: 000070

Date Passed:

Resolution authorizing the Department of Public Health, Population Health and Prevention, Community Mental Health Services, to accept retroactively and expend a grant in the amount of \$246,423 from the Department of Health and Human Services, SAMHSA, for the San Francisco Practice/Research Collaborative 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.

February 7, 2000 Board of Supervisors — ADOPTED

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

Absent: 1 - Katz

File No. 000070

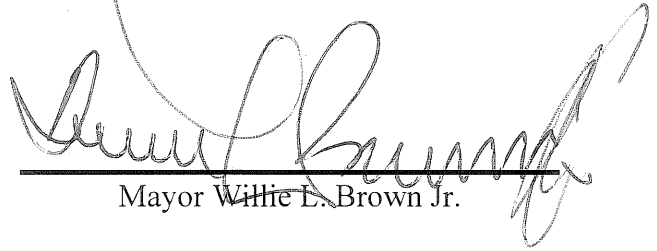
I hereby certify that the foregoing Resolution was ADOPTED on February 7, 2000 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

FEB 18 2000

Date Approved



Mayor Willie L. Brown Jr.