

1 [SFPD MOU for Loan of FBI Vehicles.]

2
3 **Ordinance approving a memorandum of understanding between the City and County of**
4 **San Francisco and the Federal Bureau of Investigations (FBI) for the loan of two**
5 **Chevrolet Suburban vehicles from the FBI for use in San Francisco Police Department**
6 **Tactical Company, and waiving the indemnification requirements of the San Francisco**
7 **Administrative Code Chapter section 4.18 for this agreement, and approving the City**
8 **indemnifying and holding the FBI harmless against claims arising from the activities of**
9 **the City under the MOU.**

10 Note: Additions are *single-underline italics Times New Roman*;
11 deletions are ~~*strikethrough italics Times New Roman*~~.
12 Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough-normal~~.

13 Be it ordained by the People of the City and County of San Francisco:

14 Section 1. FINDINGS. The Board of Supervisors hereby finds and declares that:

15 (1) The San Francisco Police Department Tactical Company/Special Operations Group
16 (TC/SOG) does not currently possess vehicles capable of towing their equipment for use in
17 response to a WMD occurrence.

18 (2) For the TC/SOG to respond promptly to WMD threats, the TC/SOG must be able to
19 effectively transport the necessary equipment.

20 (3) The FBI has offered to loan two Chevrolet Suburban vehicles to the SFPD at no
21 cost to the City other than routine maintenance and/or compensation for any non-routine
22 damage to the vehicles, and the parties intend to memorialize the terms of their agreement in
23 a Memorandum of Understanding (MOU).

24 (4) San Francisco Administrative Code section 4.18 requires the City to obtain from
25 lenders of property an indemnification agreement for the use of that property.

1 (5) The FBI will not agree to indemnify the City for damage to its vehicles while in the
2 possession or control of the SFPD or the City.

3 (6) The FBI requires indemnification by the City for damage to its vehicles while in the
4 possession or control of the SFPD or the City.

5 Section 2. The Chief of Police is hereby authorized to execute the MOU with the FBI.
6 Copies of the MOU are on file with the Clerk of the Board of Supervisors in File No.

7 _____
8 Section 3. WAIVER. The Board of Supervisors finds that it is reasonable and in the
9 public interest to grant the waiver and other terms specified in the MOU, and hereby waives
10 the indemnification requirements of the San Francisco Administrative Code Chapter section
11 4.18 for this MOU.

12
13 APPROVED AS TO FORM:
14 DENNIS J. HERRERA, City Attorney

15 By:


REBECCA L. KATZ
Deputy City Attorney



City and County of San Francisco

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

Tails Ordinance

File Number: 080887

Date Passed:

Ordinance approving a memorandum of understanding between the City and County of San Francisco and the Federal Bureau of Investigations (FBI) for the loan of two Chevrolet Suburban vehicles from the FBI for use in San Francisco Police Department Tactical Company, and waiving the indemnification requirements of the San Francisco Administrative Code Chapter section 4.18 for this agreement, and approving the City indemnifying and holding the FBI harmless against claims arising from the activities of the City under the MOU.

July 22, 2008 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

July 29, 2008 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 080887

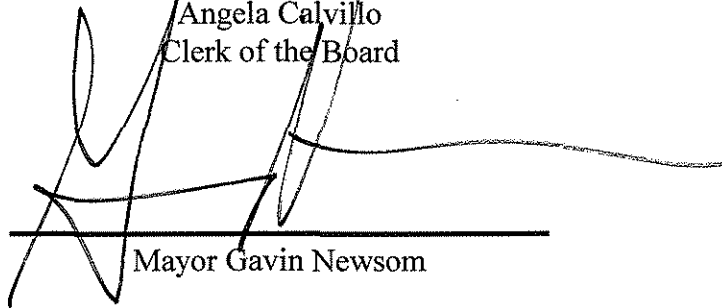
I hereby certify that the foregoing Ordinance was FINALLY PASSED on July 29, 2008 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board

8-5-08

Date Approved



Mayor Gavin Newsom