

1 [Accept-Expend Gift.]

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3 Resolution authorizing the Department of Public Works (DPW) to accept a gift in the amount
4 of \$100,000 from American Express to plant approximately 1,000 trees on Sunset Boulevard
5 and allowing the Director of Public Works to sign an agreement that includes provisions for
6 alternative dispute resolution.

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8 WHEREAS, American Express Travel Related Services Company, Inc. ("American
9 Express") and participating merchants located within eight major cities are joining together in
10 a marketing program to support tree planting efforts; and,

11 WHEREAS, American Express is offering to give the Department of Public Works
12 \$100,000 for planting of approximately 1,000 trees on Sunset Boulevard, and,

13 WHEREAS, The gift from American Express may be acknowledged through placement
14 of a plaque at the tree planting site, and the City and American Express agree to submit any
15 disputes, claims, or controversies arising out of the terms of this gift or the planting of the
16 trees to alternative dispute resolution, beginning with mediation and ending in binding
17 arbitration; and,

18 WHEREAS, the City has the potential to receive an additional \$200,000 that would be
19 used for training of youth at the Log Cabin Ranch in tree care, planting and maintenance
20 based upon the number of eligible American Express card transactions from September 22,
21 2008 through October 31, 2008 in each of eight cities participating in the program; and,

22 WHEREAS, DPW wishes to obtain approval from the Board of Supervisors to accept
23 the gift of up to \$100,000 for the planting of trees on Sunset Boulevard from American
24 Express; and,

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1 WHEREAS, DPW wishes to obtain approval from the Board of Supervisors to accept
2 the gift of up to \$200,000 for youth training at Log Cabin Ranch, should it be offered to the
3 City by American Express; and,

4 WHEREAS, the Board of Supervisors must approve the any agreement to allow the
5 City to agree to binding arbitration; now, therefore, be it

6 RESOLVED, That DPW is hereby authorized to accept a gift from American Express of
7 up to \$300,000 for tree planting and youth training from American Express; and be it

8 FURTHER RESOLVED, That the Director of Public Works is hereby authorized to
9 enter into an agreement with American Express that provides for alternative dispute
10 resolution, including binding arbitration of any issues arising out of the terms or performance
11 of this gift; and be it

12 FURTHER RESOLVED, That the Department of Public Works may acknowledge the
13 gift from American Express through placement of a plaque at the tree planting site.

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20 Recommended:

Approved: see file for signature

Mayor

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22 see file for signature

23 Department Head

Approved: see file for signature

Controller

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Supervisor Chu
Department of Public Works
BOARD OF SUPERVISORS



City and County of San Francisco

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

Tails Resolution

File Number: 081053

Date Passed:

Resolution authorizing the Department of Public Works (DPW) to accept a gift in the amount of \$100,000 from American Express to plant approximately 1,000 trees on Sunset Boulevard allowing the use of the City's corporate seal under certain conditions, and allowing the Director of Public Works to sign an agreement that includes provisions for alternative dispute resolution.

August 12, 2008 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

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

August 12, 2008 Board of Supervisors — ADOPTED AS AMENDED

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

File No. 081053

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on August 12, 2008 by the Board of Supervisors of the City and County of San Francisco.

8.22.08

Date Approved

Kay Lullengas

for
Angela Calvillo
Clerk of the Board

[Signature]
Mayor Gavin Newsom