

File No. 140854

Committee Item No. 2

Board Item No. \_\_\_\_\_

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Committee

Date September 3, 2014

Board of Supervisors Meeting

Date \_\_\_\_\_

#### Cmte Board

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| <input type="checkbox"/>            | <input type="checkbox"/> | Motion                                       |
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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance                                    |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/> | Youth Commission Report                      |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form                            |
| <input type="checkbox"/>            | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/> | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Public Correspondence                        |

#### OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Public Notice</u> |
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Completed by: Linda Wong Date August 29, 2014

Completed by: \_\_\_\_\_ Date \_\_\_\_\_

1 [Administrative Code - Film Production Fees and Notice Requirements]

2  
3 **Ordinance amending the Administrative Code to add “web series” to the schedule of**  
4 **film production use fees and to establish notice requirements to affected residents and**  
5 **businesses for film productions that will result in parking or traffic obstructions lasting**  
6 **four consecutive hours or more.**

7 **NOTE:** **Unchanged Code text and uncodified text** are in plain Arial font.  
8 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
9 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
10 **Board amendment additions** are in double-underlined Arial font.  
11 **Board amendment deletions** are in ~~strikethrough Arial font~~.  
12 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
13 subsections or parts of tables.

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

15 Section 1. The Administrative Code is hereby amended by revising Sections 57.5 and  
16 57.6 to read as follows:

17 **SEC. 57.5. AUTHORIZATION TO ENTER INTO USE CONTRACTS AND**  
18 **COORDINATE CITY DEPARTMENTS REGARDING FILM COMPANIES; CONSENT OF**  
19 **RELEVANT DEPARTMENTS; COST RECOVERY; SIDEWALK CLOSURE AND POSTING.**

20 (a) Use Contracts; Deposit of Funds. The Executive Director may enter into use  
21 contracts with organizations seeking to engage in film production. The Executive Director shall  
22 be the sole City representative authorized to negotiate use contracts. Such contracts shall, at  
23 a minimum, provide for the full recovery of costs incurred by the various City departments in  
24 providing the use of City employees, equipment and rental facilities or rental properties. Funds  
25 to reimburse City departments for costs incurred by those departments for the deployment of  
personnel or equipment or use of rental facilities or rental properties shall be paid directly to  
those departments for deposit subject to the budget and fiscal provisions of the Charter.

1 (b) Consent of Departments or Mayor. Where film production is to take place on  
2 property under the jurisdiction of City departments, the Executive Director's permission to use  
3 such property is subject to the consent of the department head or his or her designee or the  
4 Mayor or Mayor's designee.

5 (c) Schedule of Costs. In addition to the reimbursement of City departments for the  
6 costs incurred by those departments in deploying personnel or equipment, the Film  
7 Commission may, consistent with Charter Section 2.109, charge daily use fees to film  
8 companies seeking to engage in film production. The use fees are as follows:

9 (1) Still photography: \$100 a day.

10 (2) A commercial, corporate media, industrial media, video, short subject, or web  
11 video: \$200 a day.

12 (3) A television series, web series, movie, pilot, or documentary:

13 (A) For a production with a budget of less than \$100,000: \$50 a day.

14 (B) For a production with a budget of \$100,000 to less than \$500,000: \$100 a  
15 day.

16 (C) For a production with a budget of \$500,000 or greater: \$300 a day.

17 Public service announcements, qualifying student productions, and productions created  
18 by entities that are tax-exempt under section 501(c)(3) of the Internal Revenue Code are  
19 exempt from the above-listed use fees. The revenue generated by such use fees shall be  
20 deposited in the San Francisco Film Production Fund.

21 (d) Sidewalk Closures and Sign-Posting. The Film Commission may require that film  
22 companies use City personnel or City-approved vendors to post notice of the closure of City  
23 streets and sidewalks for film production, and may establish minimum sign-posting  
24 requirements. Notwithstanding anything to the contrary in Section 724 of the Public Works  
25 Code, the Executive Director may authorize the temporary occupancy of public sidewalks for

1 film production, with the consent of the Department of Public Works, subject to all  
2 requirements and conditions of the Department of Public Works and Department of Parking  
3 and Traffic. Street closures for film production shall be governed by applicable provisions of  
4 the Traffic Code.

5  
6 **SEC. 57.6. REQUIREMENTS FOR FILM COMPANIES.**

7 (a) Use Contracts. All film companies seeking to engage in film productions shall  
8 enter into use contracts with the Executive Director.

9 (b) Insurance and Indemnification. As a condition of engaging in film productions,  
10 concurrently with entering into a use contract with the City for the utilization of City property or  
11 employees, film companies shall file with the Executive Director documentation of insurance  
12 and indemnification holding the City and County harmless from any liability. The amounts of  
13 such insurance and indemnification, and the suitability of the insuring entity, shall be  
14 determined by the City's Risk Manager in coordination with the Executive Director and other  
15 City departments.

16 (c) Notification of Filming Activities. If a film company filming under a use contract with the  
17 City for the use of City property or employees anticipates that its film production activities will cause a  
18 parking or traffic obstruction lasting for four consecutive hours or more, the film company shall, when  
19 feasible, at least 24 hours prior to the start of those production activities anticipated to cause a parking  
20 or traffic obstruction, provide notice as specified herein to affected residents and businesses of the  
21 anticipated parking or traffic obstruction.

22 (1) The notice shall include the name of the film company; the date(s) and times of  
23 filming; a general description of the production activities and the anticipated parking or traffic  
24 obstruction they will cause; a local contact number for the film company; and contact information for  
25 the Film Commission and the Police Department.

1                   (2) The film company may provide the notice through signs, leaflets, telephone calls,  
2 door-to-door canvassing, U.S. mail, and/or through the internet or other digital media, provided that  
3 any such notice shall be reasonably calculated to inform the affected residents and businesses of the  
4 anticipated parking or traffic obstruction.

5                   (3) "Affected residents and businesses" to which the film company shall provide notice  
6 are those residents and businesses within 150 feet of the location of the anticipated parking or traffic  
7 obstruction.

8                   (4) A "parking or traffic obstruction" triggering the notice requirement is a street  
9 closure; a significant delay in the flow of traffic; or any truck or other vehicle, including a trailer, or  
10 combination of trucks or other vehicles, occupying more than 3 parking spaces.

11                   The film company may coordinate its notification efforts with those of the Executive Director or  
12 the Director's designee, if any. The notice required under this subsection (c) shall be in addition to  
13 any notice and signage requirements for film productions provided under City law, including Section  
14 3.4 of the Transportation Code.

15  
16                   Section 2. Effective Date. This ordinance shall become effective 30 days after  
17 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
18 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
19 of Supervisors overrides the Mayor's veto of the ordinance.

20 APPROVED AS TO FORM:  
21 DENNIS J. HERRERA, City Attorney

22 By:   
23 ADINE VARAH  
24 Deputy City Attorney

25 n:\leganalas2014\1400477\00944100.doc

## LEGISLATIVE DIGEST

[Administrative Code - Film Production Fees and Notice Requirements]

**Ordinance amending the Administrative Code to add “web series” to the schedule of film production use fees and to establish notice requirements to affected residents and businesses for film productions that will result in parking or traffic obstructions lasting four consecutive hours or more.**

### Existing Law

1. Administrative Code, Section 57.3 authorizes the Film Commission (“Commission”) to adopt rules and regulations governing permitted film production activities. Although the Commission issues guidelines for film companies to notify residents and merchants of planned film production activities, there is neither a rule nor an ordinance governing this subject.
2. Under Administrative Code, Section 57.5, the Commission may charge daily use fees for “[a] television series, movie, pilot, or documentary” that range from \$50 a day for a production with a budget of less than \$100,000, to up to \$300 a day for those with a budget of \$500,000 or greater. Although Section 57.8 includes “web series,” together with “television series,” in the definition of qualified film productions eligible to apply for the film rebate program, the Administrative Code does not expressly list “web series” among the types of film productions for which the Commission may charge use fees.

### Amendments to Current Law

1. Under the proposed ordinance, if a film company filming under a use contract with the City for the use of City property or employees anticipates that its film production activities will cause a parking or traffic obstruction lasting for four consecutive hours or more, the film company shall, when feasible, at least 24 hours prior to the start of those production activities, provide notice to affected residents and businesses within 150 feet of the location of the anticipated parking or traffic obstruction. The notice must include the name of the film company; the date(s) and times of filming; a general description of the production activities and the anticipated parking or traffic obstruction, and film company, Police Department, and Commission contact information. The film company may provide the notice through signs, leaflets, telephone calls, door-to-door canvassing, U.S. mail, and/or the internet or other digital media, provided that such notice is reasonably calculated to inform the residents and businesses of the anticipated obstruction.
2. The proposed ordinance would add “web series” to the types of film productions for which the Commission may charge use fees.

New Order



Your Order is sent.

Customer Information

<b>Customer Name</b>	S.F. BD OF SUPERVISORS (NON-CONSECUTIVE)	<b>Master Id</b>	52704
<b>Address</b>	1 DR CARLTON B GOODLETT PL #244	<b>Phone</b>	4155547704
<b>City</b>	SAN FRANCISCO	<b>Fax</b>	4155547714
<b>State - Zip</b>	CA - 94102		

Product Information

Legal GOVERNMENT - GOVT PUBLIC NOTICE

Order Information

Attention Name Linda Wong

Billing Reference No.  Save

Ad Description File No. 140854 - Film Production Fee

Sale/Hrg/Bid Date

Special Instructions

Orders Created

Order No.	Newspaper Name	Publishing Dates	Ad	Price Description	Price	Ad Status
2659715	SAN FRANCISCO CHRONICLE-CITY&CO. 10%, CA <b>Billed To:</b> S.F. BD OF SUPERVISORS (OFFICIAL NOTICES) <b>Created For:</b> S.F. BD OF SUPERVISORS (OFFICIAL NOTICES)	08/24/2014, 08/29/2014	<b>Depth :</b> 4.80" <b>Lines :</b> 58	<b>\$ No Pricing Formula for 2175</b>	<b>Pricing will be done by DJC</b>	Sent

Order No.	Newspaper	View
2659715	SAN FRANCISCO CHRONICLE-CITY&CO. 10%	<a href="#">View Ad In PDF</a>

**NOTICE OF PUBLIC HEARING**  
**Budget and Finance Committee**  
**SAN FRANCISCO BOARD OF SUPERVISORS**  
**SEPTEMBER 3, 2014 - 10:00 a.m.**  
**Legislative Chamber, Room 250 located at City Hall,**  
**1 Dr. Carlton B. Goodlett Place,**  
**San Francisco, CA**

NOTICE IS HEREBY GIVEN THAT the Budget and Finance Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard. File No. 140854. Ordinance amending the Administrative Code to add "web series" to the schedule of film production use fees and to establish notice requirements to affected residents and businesses for film productions that will result in parking or traffic obstructions lasting four consecutive hours or more. If the legislation passes, it would add "web series" to the types of film productions for which the Film Commission may charge daily use fees. For a production with a budget of less than \$100,000: \$50 a day. For a production with a budget of \$100,000 to less than \$500,000: \$100 a day. For a production with a budget of \$500,000 or greater: \$300 a day. Additionally, film companies shall, at a

minimum, provide for the full recovery of costs incurred by the various City departments in providing the use of City employees, equipment and rental facilities or rental properties. In accordance with Administrative Code Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public record in this matter, and shall be brought to the attention of the Members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, 94102. Information relating to the proposed fee is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on August 29, 2014.

Angela Calvillo, Clerk of the Board



**NOTICE OF PUBLIC HEARING  
Budget and Finance Committee  
SAN FRANCISCO BOARD OF SUPERVISORS**

**SEPTEMBER 3, 2014 - 10:00 a.m.  
Legislative Chamber, Room 250 located at City Hall,  
1 Dr. Carlton B. Goodlett Place,  
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Angela Calvillo, Clerk of the Board

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

## NOTICE OF PUBLIC HEARING

### BUDGET AND FINANCE COMMITTEE

#### SAN FRANCISCO BOARD OF SUPERVISORS


NOTICE IS HEREBY GIVEN THAT the Budget and Finance Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

- Date:** Wednesday, September 3, 2014
- Time:** 10:00 a.m.
- Location:** Legislative Chamber, Room 250 located at City Hall,  
1 Dr. Carlton B. Goodlett Place, San Francisco, CA
- Subject:** **File No. 140854** Ordinance amending the Administrative Code to add "web series" to the schedule of film production use fees and to establish notice requirements to affected residents and businesses for film productions that will result in parking or traffic obstructions lasting four consecutive hours or more.

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Angela Calvillo

Angela Calvillo, Clerk of the Board

DATED: August 21, 2014

PUBLISHED/POSTED: August 24 and 29, 2014

Print Form

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission       Youth Commission       Ethics Commission
- Planning Commission       Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.**

**Sponsor(s):**

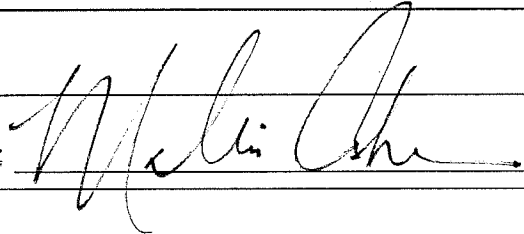
Cohen

**Subject:**

Administrative Code - Film Production Fees and Notice Requirements

**The text is listed below or attached:**

(Attached)

Signature of Sponsoring Supervisor: 

For Clerk's Use Only:

140854