

1 [Adding a 15 percent charge for administrative overhead when the City provides additional  
2 police and street-cleaning services to private parties; prohibiting waiver of fees for additional  
3 police services except by ordinance of the Board of Supervisors.]

4 **Ordinance amending the San Francisco Administrative Code by amending Sections**  
5 **10B.2, 10B.3, and 10B.12, to require the City to charge 15 percent for administrative**  
6 **overhead when it contracts with private parties to provide additional police and street-**  
7 **cleaning services, to prohibit the waiver of fees for additional police services except by**  
8 **ordinance of the Board of Supervisors, and to correct a citation to the Charter.**

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

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

14 Section 1. The San Francisco Administrative Code is hereby amended by amending  
15 Sections 10B.2 and 10B.3, to read as follows:

16 **SEC. 10B.2. PAYMENT FOR SERVICES.**

17 (a) The person, corporation, firm or organization desiring such services shall pay to  
18 the Police Department such sums of money as may be necessary to pay for the additional  
19 services. The payment shall be computed based upon the rate paid or payable to those  
20 uniformed officers of the Police Department actually performing services at the time they are  
21 to perform such additional duties, and the cost of additional equipment and materials  
22 expended, plus an additional 15 percent thereof for administrative overhead.

23 (b) The Police Department shall provide an estimate of the payment for such services  
24 to the person, corporation, firm or organization desiring the service within a reasonable time  
25 prior to the date service is to be rendered. The person, corporation, firm or organization shall  
deposit the amount of estimated funds with the Police Department prior to the time that the

1 Police Department renders the requested service. The Police Department may waive the  
2 deposit requirement if services are requested for 30 days or more, or if Department  
3 reasonably believes that a waiver is justified.

4 (c) Within a reasonable time after the services are rendered, the Chief of Police shall  
5 determine the amount of payment due. If the deposit pursuant to Subsection (b) hereof is  
6 insufficient to cover the cost of services, the Chief of Police shall notify the person,  
7 corporation, firm or organization that requested the services by United States mail to the  
8 address listed on the request for such services and that party shall have ten days to pay the  
9 balance. If the amount deposited exceeds the actual costs, the Chief of Police shall authorize  
10 a refund of the excess to the applicant at the address shown on the application.

11 (d) The Police Department shall deposit with the Treasurer such sums as received in a  
12 special account designated public facilities overtime account; provided, however, that the  
13 amount representing administrative overhead shall be deposited to the general fund  
14 unappropriated balance of funds.

15 (e) The person, corporation, firm or organization shall indemnify, hold harmless and  
16 defend said City and County of San Francisco, the San Francisco Police Department, and all  
17 the officers, agents and employees of either, from and against all liability, judgments or claims  
18 for personal or bodily injuries, false arrest and false imprisonment caused by or purportedly  
19 caused by such personnel in the rendering of such services.

20 (f) The City shall not waive payment for additional police services pursuant to this  
21 Chapter except by ordinance of the Board of Supervisors.

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### 23 **SEC. 10B.3. RATES OF PAY.**

24 For services performed in excess of the basic week, police department members shall  
25 be compensated on the basis of time and one-half in accordance with the ratio which said

1 excess service bears to the basic week of service and the annual compensation provided  
2 therefor in Section A8.451 3.534 of the City Charter and applicable memoranda of  
3 understanding.

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5 Section 2. The San Francisco Administrative Code is hereby amended by amending  
6 Section 10B.12, to read as follows:

7 **SEC. 10B.12. PAYMENT FOR SERVICES.**

8 The person, firm or organization desiring such personnel shall pay to the Department  
9 such sums of money as the Director of Public Works estimates shall be necessary to cover  
10 the direct actual costs of the services to be provided, plus an additional 15 percent thereof for  
11 administrative overhead. Such person, corporation, firm or organization shall indemnify, hold  
12 harmless and defend said City and County of San Francisco, the Department of Public Works,  
13 and all the officers, agents and employees of either, from any and all liability, judgments or  
14 claims for personal or bodily injuries, property damage, or other injuries caused by or  
15 purportedly caused by such personnel in the rendering of such services.

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

By: \_\_\_\_\_  
THOMAS J. OWEN  
Deputy City Attorney