

File No. 100112

Committee Item No. 1

Board Item No. 12

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee PUBLIC SAFETY

Date 3/15/10

Board of Supervisors Meeting

Date 03/30/10

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
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| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
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OTHER

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Completed by: Gail Johnson

Date 3/12/10

Completed by: HQ

Date 3/18/10

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

15

1/2/2/2

1 [Including Dispatch Services in the Program for Additional Police Department Services]

2
3 **Ordinance amending San Francisco Administrative Code Sections 10B.1, 10B.2, 10B.3,**
4 **10B.4 and 10B.5 to include dispatch services provided by the Department of**
5 **Emergency Management in the program for additional Police Department services.**

6 NOTE: Additions are single-underline italics Times New Roman;
7 deletions are ~~strike-through italics Times New Roman~~.
8 Board amendment additions are double-underlined;
9 Board amendment deletions are ~~strikethrough-normal~~.

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

10 Section 1. The San Francisco Administrative Code is hereby amended by amending
11 Section 10B.1, to read as follows:

12 SEC. 10B.1. REQUEST FOR POLICE SERVICES.

13 Any person, corporation, firm or organization desiring additional personnel, equipment
14 or materials of the San Francisco Police Department, for law enforcement purposes within the
15 City and County of San Francisco, may request the Chief of the San Francisco Police
16 Department to provide such personnel to perform such services. If the Chief of Police
17 approves the request, he or she may detail such personnel for such services in the number he
18 or she determines to be necessary to perform the services. If the Police Department determines
19 that the requested police services will require dispatch services from the Department of Emergency
20 Management, the Chief of Police or designee shall notify the Executive Director of the Department of
21 Emergency Management, and the Executive Director may detail such personnel for such services in the
22 number he or she determines to be necessary to perform the dispatch services.

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

3 SEC. 10B.2. PAYMENT FOR SERVICES.

4 (a) Except as provided in Subsection (f), below, the person, corporation, firm or
5 organization desiring such services shall pay to the ~~p~~Police ~~d~~Department such sums of money
6 as may be necessary to pay for the additional services, including any dispatch services provided
7 by the Department of Emergency Management. The payment shall include a component for Police
8 Department services, be computed based upon the rate paid or payable to those uniformed
9 officers of the Police Department actually performing services at the time they are to perform
10 such additional duties, and the cost of additional equipment and materials expended, together
11 with an administrative overhead charge to cover the proportionate percentage of the Police
12 Department's administrative costs that are attributable in the Department's reasonable
13 discretion to the work performed pursuant to the request. The payment shall also include a
14 component for any dispatch services provided by the Department of Emergency Management, which
15 shall be computed by the Department of Emergency Management based on the rate paid or payable to
16 the dispatch personnel actually performing services at the time they are to perform such additional
17 duties.

18 No person, corporation, firm or organization that contracts with the Police Department
19 for additional services that are: 1) of the type normally provided by police officers on patrol in
20 the designated area; and 2) to be provided at least four days per week, each week, for a
21 period in excess of one year, shall be required to pay an administrative overhead charge,
22 unless such additional services are provided in conjunction with a City permit or license, or
23 are otherwise necessary to mitigate a negative impact created by the activity of the person,
24 corporation, firm or organization contracting for the additional services.

1 (b) The Police Department shall provide an estimate of the payment for such services,
2 including an estimate from the Department of Emergency Management for any dispatch services, to
3 the person, corporation, firm or organization desiring the service within a reasonable time prior
4 to the date service is to be rendered. The person, corporation, firm or organization shall
5 deposit the amount of estimated funds with the Police Department prior to the time that the
6 Police Department renders the requested service. The Police Department may waive the
7 deposit requirement if services are requested for 30 days or more, or if Department
8 reasonably believes that a waiver is justified.

9 (c) Within a reasonable time after the services are rendered, the Chief of Police shall
10 determine the amount of payment due. The amount due shall be based on actual services
11 performed by the Police Department and any dispatch services by the Department of Emergency
12 Management. If the deposit pursuant to Subsection (b) hereof is insufficient to cover the cost of
13 police and dispatch services, the Chief of Police shall notify the person, corporation, firm or
14 organization that requested the services by United States mail to the address listed on the
15 request for such services and that party shall have ten days to pay the balance. If the amount
16 deposited exceeds the actual costs, the Chief of Police shall authorize a refund of the excess
17 to the applicant at the address shown on the application.

18 (d) The Police Department shall deposit with the Treasurer such sums as received in
19 a special account designated public facilities overtime account; provided, however, that the
20 amount representing Police Department administrative overhead shall be deposited to the
21 general fund unappropriated balance of funds, and the amount for the Department of Emergency
22 Management's dispatch services shall be transferred to the Department of Emergency Management.

23 (e) The person, corporation, firm or organization shall indemnify, hold harmless and
24 defend said City and County of San Francisco, the San Francisco Police Department, the
25 Department of Emergency Management, and all the City and County officers, agents and

1 employees *of either*, from and against all liability, judgments or claims for personal or bodily
2 injuries, false arrest and false imprisonment caused by or purportedly caused by such
3 personnel in the rendering of such services.

4 (f) The City shall not waive payment for additional police *or dispatch* services pursuant
5 to this Chapter except by ordinance of the Board of Supervisors.

6
7 Section 3. The San Francisco Administrative Code is hereby amended by amending
8 Section 10B.3, to read as follows:

9 SEC. 10B.3. RATES OF PAY.

10 For services performed in excess of the basic week, police department members shall
11 be compensated on the basis of time and one-half in accordance with the ratio which said
12 excess service bears to the basic week of service and the annual compensation provided
13 therefor in Section A8.451 of the City Charter and applicable memoranda of understanding.

14 *For services performed in excess of the basic week, Department of Emergency Management*
15 *personnel shall be compensated on the basis of time and one-half in accordance with the ratio which*
16 *said excess service bears to the basic week of service and the annual compensation provided therefor in*
17 *applicable memoranda of understanding.*

18
19 Section 4. The San Francisco Administrative Code is hereby amended by amending
20 Section 10B.4, to read as follows:

21 SEC. 10B.4. MINIMUM ASSIGNMENT.

22 Requested services *from the Police Department* shall be compensated upon the basis of
23 four hours per employee minimum per assignment.

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

3 SEC. 10B.5. GENERAL PROVISIONS.

4 A member of the San Francisco Police Department or Department of Emergency
5 Management, detailed to perform services pursuant to this Chapter, shall not be entitled to any
6 additional overtime benefits over the above those provided herein.

7
8 APPROVED AS TO FORM:
9 DENNIS J. HERRERA, City Attorney

10 By:


11 KATHARINE HOBIN PORTER
12 Deputy City Attorney
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LEGISLATIVE DIGEST

[Including dispatch services in the program for additional Police Department services]

Ordinance amending San Francisco Administrative Code Sections 10B.1, 10B.2, 10B.3, 10B.4 and 10B.5 to include dispatch services provided by the Department of Emergency Management in the program for additional Police Department services.

Existing Law

Administrative Code Chapter 10B establishes a program under which persons or entities may request special law enforcement services from the Police Department (SFPD) and public works services from the Department of Public Works (DPW). Under the Chapter 10B program, if the Chief of Police or DPW Director approves a request for additional services, personnel may be detailed to perform the services. The person or entity requesting the additional services pays for the actual costs of those services plus an administrative fee, except as otherwise provided in Chapter 10B.

Under the current Chapter 10B program, the payment for additional law enforcement services covers only costs incurred by the SFPD in providing the additional services. The payment does not include any amount for the cost of dispatch services provided by the Department of Emergency Management (DEM) in supporting those additional police services.

Amendments to Current Law

The proposed ordinance would amend Chapter 10B, so when a person or entity requests additional law enforcement services, the SFPD will determine whether the requested services will require dispatch services from the DEM. If the additional police services will require dispatch services, the SFPD will notify the DEM Executive Director, and the Executive Director is authorized to detail personnel to provide the additional dispatch services. In addition to paying for the SFPD services, the person or entity requesting the additional police services would also pay the actual cost for any dispatch services provided by DEM. The payment would be included as a component of the payment to the SFPD.

Background Information

This proposed ordinance is intended to reimburse DEM for additional costs incurred in providing dispatch services to the SFPD for work performed under the Chapter 10B program.



Gavin Newsom
Mayor

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Division of Emergency Services
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Vicki L. Hennessy
Executive Director

MEMORANDUM

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Amiee Alden, Department of Emergency Management
DATE: February 1, 2010
RE: 10B Legislation for Emergency Dispatch

The Department of Emergency Management (DEM) requests to introduce the attached legislation that would amend the 10B program in the City Administrative Code to include dispatch services provided by DEM. Large City events that require 10B police services can also require additional dispatch services to provide communications with police officers and respond to 9-1-1 calls. This legislation will enable DEM to recoup the costs of detailing additional staff to provide those services.

We would like to introduce this legislation at the next Board of Supervisors meeting. If you have any questions, please contact me at (415) 558-3803. Thank you.



CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF EMERGENCY MANAGEMENT

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