

1 [Use Agreement - BH/AB Productions, LLC - Development of Documentary Television Project
2 with San Francisco Animal Care and Control]

3 **Resolution authorizing San Francisco Animal Care and Control (“SFACC”) to enter into**
4 **a Use Agreement with BH/AB Productions, LLC to develop and produce a documentary**
5 **television project about SFACC’s animal emergency rescue calls and Animal Control**
6 **Officers; and grant all necessary trademark licenses and the exclusive right for a term**
7 **of no longer than one year and one week to traditional and digital networks, to**
8 **commence upon approval by the Board of Supervisors.**

9
10 WHEREAS, San Francisco Animal Care and Control (“SFACC”) shelters homeless,
11 neglected, and abused animals and provides humane education and many other services to
12 the community; and

13 WHEREAS, SFACC is the local agency that investigates animal cruelty, enforces
14 animal welfare laws, rescues injured and orphaned wildlife and birds, and aids domestic
15 animals in distress; and

16 WHEREAS, SFACC aims to adopt, re-home, or reunite domestic animals with their
17 guardians and to release wildlife to their native habitat; and

18 WHEREAS, The City and County of San Francisco, acting by and through the SFACC
19 (“City”), seeks to contract with a production company to create a documentary series about
20 San Francisco animal emergency calls, SFACC Animal Control Officers, and the office and
21 shelter culture at SFACC; and

22 WHEREAS, The documentary series will help San Francisco and the public better
23 understand SFACC culture and the crucial role SFACC plays in the community; and

24 WHEREAS, The City desires to enter into a use agreement with BH/AB Productions,
25 LLC (“Producer”) to develop and produce a documentary series about SFACC, the contract

1 being substantially in the form on file with the Clerk of the Board of Supervisors in File
2 No. 220138 (“Agreement”); and

3 WHEREAS, The Agreement provides that, in connection with production and marketing
4 of the documentary series, the City would grant to Producer all necessary trademark licenses
5 to the series and exclusive access to SFACC personnel activities for producing a
6 documentary series about San Francisco animal emergency calls, SFACC Animal Control
7 Officers, and the office and shelter culture at SFACC; and

8 WHEREAS, The Producer must follow guidelines that include San Francisco Health
9 Orders and CDC recommendations while working during COVID-19 for the health and well-
10 being of people they film; and

11 WHEREAS, The Producer must utilize the Appearance Release for City Employee
12 form to obtain consent and signature from any City Employee appearing in the production;
13 and

14 WHEREAS, Charter, Section 1.101, provides that all rights and powers of a City and
15 County that are not vested in another officer or entity by this Charter shall be exercised by the
16 Board of Supervisors; and

17 WHEREAS, The Charter does not vest in the SFACC the right to contract to develop a
18 documentary series; now, therefore, be it

19 RESOLVED, That the Board of Supervisors hereby authorizes the SFACC, acting on
20 behalf of the City and County of San Francisco, to enter into the Agreement with Producer in
21 substantially the form on file with the Clerk of the Board of Supervisors in File No. 220138,
22 pursuant to review and modification by the City Attorney; and, be it

23 FURTHER RESOLVED, That within 30 days of the Agreement being fully executed by
24 all parties, SFACC shall provide a copy to the Clerk of the Board for inclusion into the official
25 file.