[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.

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

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

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

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

Any person, corporation, firm or organization desiring additional personnel, equipment or materials of the San Francisco Police Department, for law enforcement purposes within the City and County of San Francisco, may request the Chief of the San Francisco Police Department to provide such personnel to perform such services. If the Chief of Police approves the request, he or she may detail such personnel for such services in the number he or she determines to be necessary to perform the services. If the Police Department determines that the requested police services will require dispatch services from the Department of Emergency Management, the Chief of Police or designee shall notify the Executive Director of the Department of Emergency Management, and the Executive Director may detail such personnel for such services in the number he or she determines to be necessary to perform the dispatch services.
Section 2. The San Francisco Administrative Code is hereby amended by amending Section 10B.2, to read as follows:

SEC. 10B.2. PAYMENT FOR SERVICES.

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

No person, corporation, firm or organization that contracts with the Police Department for additional services that are: 1) of the type normally provided by police officers on patrol in the designated area; and 2) to be provided at least four days per week, each week, for a period in excess of one year, shall be required to pay an administrative overhead charge, unless such additional services are provided in conjunction with a City permit or license, or are otherwise necessary to mitigate a negative impact created by the activity of the person, corporation, firm or organization contracting for the additional services.
(b) The Police Department shall provide an estimate of the payment for such services, including an estimate from the Department of Emergency Management for any dispatch services, to the person, corporation, firm or organization desiring the service within a reasonable time 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 Police Department renders the requested service. The Police Department may waive the deposit requirement if services are requested for 30 days or more, or if Department reasonably believes that a waiver is justified.

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

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

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

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

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

SEC. 10B.3. RATES OF PAY.

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

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

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

SEC. 10B.4. MINIMUM ASSIGNMENT.

Requested services from the Police Department shall be compensated upon the basis of four hours per employee minimum per assignment.
Section 5. The San Francisco Administrative Code is hereby amended by amending Section 10B.5, to read as follows:

SEC. 10B.5. GENERAL PROVISIONS.

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

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

By:
KATHARINE HOBIN PORTER
Deputy City Attorney
Ordinance amending San Francisco Administrative Code Sections 10B.1, 10B.2, 10B.3, 10B.4, and 10B.5, including dispatch services provided by the Department of Emergency Management, in the program for additional Police Department services.

March 23, 2010 Board of Supervisors - PASSED, ON FIRST READING
Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

March 30, 2010 Board of Supervisors - FINALLY PASSED
Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell and Mirkarimi
Excused: 1 - Alioto-Pier

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 3/30/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor Gavin Newsom

4/08/2010
Date Approved