

Film And Video Arts Commission

Report of the 1999-2000 San Francisco Civil Grand Jury

SUMMARY

The various landmarks and vistas of the City of San Francisco are instantly recognizable to people throughout the world. This "signature" aspect of the City makes it an extremely desirable location for film-work of all kinds. In light of this desirability, film-work by the entertainment or advertising industries is viewed by the City as a source of both revenue and employment for the citizens of San Francisco with a high potential for growth.

Due to the number and variety of procedures required in the coordination of location filming within a metropolitan area, many cities have established offices to facilitate location requests, promote local employment, and represent the interests of their constituents. In San Francisco, the San Francisco Film and Video Arts Commission (SFFVAC) was created to fill this role.

With proper management, the SFFVAC has the potential to advance the use of San Francisco as a location for film-work throughout the entertainment and advertising industries, increasing revenue and engendering a stronger local employment base within the City. In this respect it is also the voice of the people and as such should be perceived by residents as open and approachable, taking great care to address their concerns and protect the quality of life of all San Franciscans. In the course of our investigation the 1999-2000 San Francisco Civil Grand Jury regrettably, did not find this to be the case.

BACKGROUND

On November 21, 1989, the San Francisco Film and Video Arts Commission was established by Chapter 57 of the San Francisco Administrative Code (See Appendix A) with the mandate to "...develop, recognize, and promote film and video activities in the City and County. The members shall work together and explore and promote the long-term goals for film-making as a major emphasis of the City's economic and cultural base, and encourage the recognition of film and video as an art form with widespread economic components." (SF Administrative Code Sec. 57.2.).

The San Francisco Film and Video Arts Commission consists of eleven unpaid Commissioners, six of whom must live within the City limits. There is no requirement that the Commissioners be experienced in film production or any other relevant vocation. The code only provides that they "may" be drawn from this pool. The Commissioners are appointed and serve at the pleasure of the Mayor. The terms are for four years and are staggered.

This section of the San Francisco Administrative Code also specifies that the Commission is to appoint an Executive Director to act as the department head of the Office of the SFFVAC. The Executive Director position is a paid position replacing the former "Mayor's Office Film Coordinator" position. The Executive Director is charged with staff supervision for the Office of the SFFVAC as well as other duties and is

compensated at the same rate and from the same source of funds as was the former position.

The source of this funding is the Film Production Special Fund, into which 50 percent of all fees generated by the issuance of film permits go. The balance of this fund is "deemed to be provided for a specific purpose" (SF Administrative Code Sec. 57.10.) with all unused funds carrying over into the next fiscal year. It is the duty of the SFFVAC to "...prepare and file with the Board of Supervisors, at the same time the Commission files with the Mayor a proposed fiscal year budget, an annual report that shall detail all revenues and expenditures of the Commission during the immediately preceding fiscal year." (SF Administrative Code Sec. 57.10.).

Despite this, the San Francisco Civil Grand Jury was unable to find a single copy of this report for either the most recently concluded fiscal year or any year past during research conducted at the San Francisco Main Library. Furthermore, repeated inquiries were made of the Office of the SFFVAC as to the location and availability of these annually required reports. The response of the Office of the SFFVAC to each inquiry made by the CGJ was that any responsibility for issuing a yearly accounting of the Film Production Special Fund was that of the Mayor's Office and not the Office of the SFFVAC.

The Office of the SFFVAC was created to act as a liaison between filmmakers and various City departments in terms of obtaining permits and encouraging film-work within San Francisco. In addition, the office was created to enhance the public's perception of the film industry in general as well as to promote the use of film production labor from within the City and otherwise encourage the growth of the San Francisco based film industry.

The San Francisco Civil Grand Jury began its investigation into the SFFVAC following several accounts of neighborhoods being saturated by film crews and residents unsure of where to turn for redress. One avenue of investigation pursued by the CGJ was to examine what safeguards or supervision the Office of the SFFVAC used to protect the citizens of San Francisco from undue inconvenience during location filming. This was an area of serious concern for the CGJ as was the apparent lack of accountability regarding the Film Production Special Fund.

METHODOLOGY

The Civil Grand Jury interviewed representatives of the Office of the San Francisco Film and Video Arts Commission (SFFVAC) on three occasions as well as reviewed their office files and promotional materials.

In addition, the CGJ spoke to representatives of the Police Law Enforcement Services Unit (PLES), the San Francisco Police Department (SFPD) unit that provides police support for hire under the "10B" program to a variety of private entities. The CGJ also visited several neighborhoods ranging from the Haight to Potrero Hill and met with various San Francisco residents and merchants who relayed their own accounts of location filming near their homes or shops.

Finally, the CGJ visited a neighborhood in use as a film location and observed the activities and preparations that occur prior to filming. At this time the CGJ interviewed a

Location Manager with twenty-five years experience in the field. While not a San Francisco resident, the Location Manager interviewed is a Bay Area resident and specializes in San Francisco locations.

In order to supplement the interviews and visitations conducted, the CGJ also reviewed the procedures and documents used by film offices in cities of varied size throughout the United States and Canada. These included examples of permits, filming notification requirements, as well as economic impact statistics when available.

RESULTS OF INVESTIGATION

1. Execution of the Duties of the Commission

In the course of their investigation the San Francisco Civil Grand Jury reviewed the Administrative Code as it pertains to the San Francisco Film and Video Arts Commission and discovered that the powers and duties listed are split between those of the Commission and the Executive Director of the Commission.

In addition to the duties specifically attributed to the Executive Director, who serves at the Commission's pleasure, the San Francisco Administrative Code allows for the assumption of "other duties" as provided within the chapter. It should be noted therefore, that while there is clearly a separation within the Administrative Code between the duties of the Commission and those of the Executive Director, it is unclear which if any of the Commission's duties have been delegated to the Executive Director.

In the course of its investigation, the Civil Grand Jury attempted to discern to what degree the duties assigned to the SFFVAC were being addressed. The long-term goals of public education, both as to the economic advantages of increased film production within the City in general revenue terms, as well as, any concrete benefits to the San Francisco film industry were among the areas of investigation. The measures taken to encourage the establishment of such an industry were of particular interest to the CGJ. After speaking in some detail with the Office of the SFFVAC it became clear to the CGJ that there were no particular measures in place to address either one of these goals.

In terms of public education, the Office of the SFFVAC was unable to provide the CGJ with any information in either printed or electronic form in place to address this goal. The Office of the SFFVAC does provide a handbook to prospective filmmakers, which is available in both printed and electronic forms. Closer examination of this handbook by the CGJ found it to be outdated and inaccurate at times, geared towards the film industry without either economic or employment statistics, and probably of little educational use to the public. It was asked of the Office of the SFFVAC what examples they could provide the CGJ detailing their education of the public as to the economic and employment benefits film-work affords the City. The Office of the SFFVAC was unable to cite a single example illustrating public outreach in this regard.

Residents and merchants are kept completely in the dark regarding the various aspects of film-work conducted in San Francisco without physically visiting the Office of the SFFVAC. There are no statistics concerning the revenue expended within the City by film production companies, the employment rates of San Francisco film-workers by film production, the number of shooting days permitted, or the number of permits issued by the Office of SFFVAC each year available to the public at either the Public Library or

through the SFFVAC website (www.ci.sf.ca.us/film). Should they take the time to visit the Office of the SFFVAC, members of the public remain unable to conduct a comprehensive review these statistics at the Office of the SFFVAC as they have never been compiled.

The CGJ next inquired as to the measures either in place or planned by the Office of the SFFVAC to shepherd the burgeoning San Francisco film industry. The CGJ asked about possible referrals to local companies, employment listings for local workers, or incentives for the use of local labor but were told that the Office of SFFVAC had no such programs in place nor were any planned for the future.

As the interview continued, it became clear to the CGJ that the Office of the SFFVAC considers the expansion of the local film industry to be somewhat beyond their scope. The Office of the SFFVAC does maintain an employment guide of sorts, "Trade Whispers." "Trade Whispers" is a compilation of employment notices taken from various film industry publications. It lists projects that are tentatively scheduled to film in San Francisco along with the contact information assuming it was provided in the original notice. It was disturbing to the CGJ that this posting of trade publication advertisements appears to be the only action being taken by the Office of the SFFVAC in their promotion of the San Francisco film industry.

2. Execution of the Duties of the Executive Director

The operation of the Office of the SFFVAC is the responsibility of the Executive Director of the SFFVAC as specified in SF Administrative Code Sec. 57.8. (See Appendix A). In addition to the hiring and supervision of staff it is the responsibility of the Executive Director of the SFFVAC to coordinate any and all film permits issued within San Francisco. Further, it is the responsibility of the Executive Director of the SFFVAC to act as a liaison between film companies and the various City departments that may become involved depending on the size and scope of the proposed filming. These agencies include, but are not limited to, the San Francisco Police Law Enforcement Services Unit (PLES) of the SFPD, the Department of Parking and Traffic, the Municipal Railway, and the Department of Public Works. The CGJ began its inquiry into the execution of the duties of the Executive Director in the area of permit coordination.

After receiving complaints from residents who felt they were too often negatively affected by filming in their neighborhoods the CGJ set out to review the procedures and guidelines used by the Office of the SFFVAC in deciding whether or not a film permit should be issued for any particular location.

While speaking with the Office of the SFFVAC the CGJ discovered that there are no guidelines or procedures in place to either prevent an undue saturation of film permits for any one area or to prevent excess permitting in terms of police manpower needed during any one time. In fact, the CGJ was informed that the Office of the SFFVAC could not recall a single permit that it had not approved.

The Office of the SFFVAC, lacking such guidelines or procedures, fails to adequately track permit statistics, virtually acting as a kind of permit "clearinghouse" for film-work within San Francisco. The possible consequences to either the quality of life in the

affected neighborhoods or to the available police resources were brought to the attention of the Office of the SFFVAC by the CGJ.

These concerns were quickly dismissed as somewhat inconsequential by the Office of the SFFVAC as well as being labeled as counterproductive to the expansion of the San Francisco film industry. It should be noted that the Port of San Francisco requires the use of a far more restrictive permit for use of its facilities as film locations than does the Office of the SFFVAC (See Appendix B). It should be further noted that the CGJ inquired during an interview conducted with a representative of the entertainment industry about this more restrictive permit in use by the Port. The CGJ was told that while the film companies disliked the Port's restrictive permit, in the opinion of the representative interviewed the restrictive permit in use by the Port of San Francisco best protected the interests of the people of San Francisco.

It was made clear to the CGJ that the Office of SFFVAC feels that simply by increasing the use of San Francisco as a film location it will see an acceptable degree of expansion within the City's film industry. The Office of the SFFVAC was quite vocal in this regard, stating repeatedly that nothing should interfere with the ability of the Office of the SFFVAC to attract location work within the City of San Francisco. This response was given by the Office of the SFFVAC in every instance in which the CGJ suggested measures to balance the location requests of filmmakers against possible incentives for the use of the local film industry labor or the quiet enjoyment rights of San Francisco residents.

In addition to the coordination of film permits from a neighborhood standpoint, the duties of the Executive Director of the SFFVAC also require the position coordinate the issuance of permits from various City departments. The CGJ inquired as to how this was accomplished without any guidelines or records in place to monitor the number of requests approved by the Office of the SFFVAC and sent on to other City departments. Of particular concern in this area was the potential overload of available SFPD resources by the Office of the SFFVAC.

The Office of the SFFVAC informed the CGJ that this was not a problem. There was no instance the Office of the SFFVAC could recall in which the PLES unit of SFPD had ever been unable to fulfill a permit request forwarded them by the Office of SFFVAC. It was further the position of the Office of the SFFVAC that if any problem were to occur related to SFPD manpower, it was the responsibility of the PLES unit of SFPD to negotiate with the film-makers and not the Office of the SFFVAC.

In later conversations with representatives of the PLES unit of the SFPD, the CGJ asked about the permit issuance policy of the Office of the SFFVAC and its potential to tax the resources of the SFPD. It should be noted that while the PLES unit is the supplier of all SFPD support for film production within San Francisco, film industry support requests account for only 20 percent of all support requests received by the PLES unit. The vast majority of support requests received by the PLES unit are the result of construction activities within San Francisco.

The representatives of the PLES unit confirmed many of the statements made by the Office of the SFFVAC as to the ability of the PLES unit to provide staff to film locations forwarded them by the Office of the SFFVAC. They did however, raise several important points, most notably in terms of potential overload.

It is true that there has not been an instance where the PLES unit was unable to fulfill a request for support made through the Office of the SFFVAC. There were many instances however, in which the PLES was forced to negotiate directly with the film company representative as to the location or date of a film permit issued by the Office of the SFFVAC or to reassign officers at the last minute in order to accomplish this. In one example relayed to the CGJ, shortly before the end of the shift on a Friday, the PLES unit had received approximately ten requests for support from the Office of the SFFVAC within one hour.

This series of requests required an extraordinary degree of attention by the PLES unit staff and they should be commended for their ability to perform at such a level. It is clear to the CGJ that in many instances the PLES unit of the SFPD is relied upon to fulfill the duties of the Executive Director of the SFFVAC as they pertain to inter-departmental permit coordination.

In the promotional materials given the CGJ by the Office of the SFFVAC there lists a variety of services offered to prospective filmmakers. These include "Scouting Assistance," "Location Consulting and Assistance," "Industry / Government Liaison," and "Neighborhood Group Liaison" among others. This appeared to be completely at odds with the positions voiced by the Office of the SFFVAC to the CGJ.

In terms of location scouting and influence upon the final choice of location, the Office of the SFFVAC told the CGJ that it had very little say in where filming occurred. The CGJ was further told that all negotiations between film companies and local residents or merchants were strictly the responsibility of the privately employed location manager and were beyond the scope of the Office of the SFFVAC.

The Office of the SFFVAC neither facilitates such negotiations nor do they in anyway require that such negotiations take place. The outcome of any such negotiations is not a factor in the approval of film permits by the Office of the SFFVAC. When asked what recourse an adversely affected resident or merchant would have in the event that negotiations proved unproductive, the Office of the SFFVAC informed the CGJ that it would be up to the affected parties to file suit in small claims court.

It was further the position of the Office of the SFFVAC that the Location Manager, a privately employed representative of the film company, should be the only contact number listed on notices of filming provided to residents and businesses in areas scheduled for filming. The CGJ noted that this provided no contact for the City office that issued the permit or for the police unit which supplied SFPD officers to the scene.

The Office of the SFFVAC reiterated its position that it has no obligation to facilitate negotiations between the film companies and the residents or merchants of San Francisco though there was no reasoning expressed by the Office of the SFFVAC for omitting contact information for the PLES unit. It should be noted that shortly prior to the publication of this report the CGJ received a fax transmission from the Office of the SFFVAC. This transmission included an amended version of the Public Notification Form distributed by the Office of the SFFVAC to prospective filmmakers which did include contact information for the Office of the SFFVAC. It is unclear to the CGJ whether this is a prototype of a planned revision of the form or an actual revision already in use.

While speaking to representatives of the PLES unit, the CGJ relayed the position of the Office of the SFFVAC as it pertained to the inclusion of contact information for the Office of the SFFVAC in the public notification form. The CGJ then inquired as to any objections the PLES unit might have to the listing of their contact information as a standard requirement in any public notification of proposed filming. Both of the PLES unit representatives interviewed felt that this information would be of use to the public and favored its inclusion in any public notification of proposed filming.

3. Procedures of the Office of the SFFVAC

In the course of its investigation, the CGJ requested the Office of the SFFVAC provide the CGJ with data as to the quantity and duration of filming conducted in the various districts of San Francisco. The number and types of complaints received by the Office of the SFFVAC, and any economic impact statistics the Office of SFFVAC had collected were also requested by the CGJ at this time.

The Office of the SFFVAC informed the CGJ that they did not collect any economic impact statistics as such though there was an informal expense survey that was circulated sporadically which would be made available to the CGJ. The CGJ was also told that none of the data generated by the Office of the SFFVAC had been collected in any form. The CGJ was informed that this information was available only in the form of the original documents kept on file at the Office of the SFFVAC.

A subsequent visit to the Office of the SFFVAC by the CGJ to review this data illustrated vividly to the CGJ the degree to which disorganization permeates the Office of the SFFVAC. When the CGJ asked to see the files containing the data requested the Office of the SFFVAC produced roughly a dozen large cardboard boxes, each containing a variety of documents created during a particular year.

These files consisted of folders representing the months of the year which were filled with permits, notifications, and the informal economic survey that had been circulated as well as other documents created within a particular month. There was no way for the CGJ to cross reference permits by production company or the location of the filming without examining each piece of paper for pertinent information by hand.

During this visit to the Office of the SFFVAC the question arose as to how well the Office of the SFFVAC tracked upcoming productions without the use of a database or some similar organizational aid. The CGJ was shown a large paper calendar on which the titles of the day's productions are written. This is the extent to which the Office of SFFVAC monitors upcoming or on-going location filming in San Francisco.

The CGJ also requested that any and all complaints received by the Office of SFFVAC be made available for review during this visit. While the CGJ understood that the contact number for the Office of the SFFVAC is not required to be listed on the public notification form it was still expected by the CGJ that some residents would search out the number in the phone book for themselves. The CGJ was dismayed to learn that the Office of the SFFVAC does not record citizen complaints made by telephone to their office.

As the Office of the SFFVAC does not record citizen complaints made by telephone to their office, the CGJ then asked to see any and all written complaints. The Office of the

SFFVAC directed the CGJ back to the cardboard boxes explaining that there were no dedicated complaint records as such but that any complaints would be filed by the month and year they were made in the same fashion as the other records.

The CGJ mentioned the degree of difficulty such a filing system created for anyone wishing to review a particular area of the Office of the SFFVAC and questioned whether it might not be in the best interest of the Office of SFFVAC to organize its files. It is the position of the Office of the SFFVAC that they have neither the staff nor the funding available to devote the time needed to complete such an organization.

It should be noted that the PLES unit, which often is called upon to deal with both film companies and the general public, is staffed with an equal number of employees as the Office of the SFFVAC. With its limited resources the PLES manages to keep detailed files on all its activities, only 20 percent of which are related to film production. It is the opinion of the PLES that their database is a very effective management tool. The CGJ considers it unfortunate that the Office of the SFFVAC does not share this opinion.

4. Public Perception of the Office of the SFFVAC

It became apparent to the CGJ during interviews with the Office of the SFFVAC that while the perceptions held by the film industry regarding the Office of the SFFVAC were considered to be of paramount importance to the successful growth of the San Francisco film industry, the Office of the SFFVAC gave little consideration to the perceptions formed by the public. When questioned by the CGJ as to how the Office of the SFFVAC considered itself perceived by the public there was initially no response by the Office of the SFFVAC. When the CGJ inquired a second time, the Office of the SFFVAC stated that many of the citizens of San Francisco supported the goals of the Office of the SFFVAC. It was pointed out at this time by the CGJ, that support for the goals of the Office of the SFFVAC is not the same as support for the Office of the SFFVAC. The Office of the SFFVAC did not amend this statement.

The CGJ, in an attempt to discern the public perception of the Office of the SFFVAC, met with a wide variety of the general public and spoke to them about their experiences with and perceptions of the Office of the SFFVAC. Those interviewed by the CGJ included long established merchants as well as owners of newer businesses. Residents ranging from new arrivals to native San Franciscans were interviewed by the CGJ as well. The results of these interviews were disappointing to the CGJ.

The great majority of those interviewed by the CGJ were uncertain who or what the Office of the SFFVAC was. Those who had knowledge of the Office of SFFVAC considered it to be unreachable and unresponsive to their concerns. The CGJ heard many accounts of the Office of SFFVAC advising citizens to contact the Location Manager in order to work out disagreements.

Many of those interviewed by the CGJ indicated that in the event of some problem at the scene of location filming they would approach the police at the scene or telephone the PLES unit rather than contact the Office of the SFFVAC. The reason given for this was always the same. It is a pervasive opinion among the public that the Office of SFFVAC is unconcerned with their complaints. They are aware however that if the

police are contacted there will be some action taken, regardless of how effective it may be.

The CGJ was very concerned with the amount of responsibility delegated to the various Location Managers by the Office of the SFFVAC and so a visit to a location film scene was arranged. At this time the CGJ observed the preparation involved in location filming as well as interviewing the Location Manager for this scene.

The Location Manager interviewed by the CGJ specializes in San Francisco locations. There are a variety of Location Managers living in the Bay Area who are used regularly by film companies but a company is free to bring their own Location Manager if they choose. As the CGJ interviewed this Location Manager several points were quickly made.

San Francisco benefits greatly from the use of Location Managers with experience working in a particular neighborhood. As a neighborhood becomes familiar with a Location Manager the residents tend to become more comfortable once they see that familiar face and there are inherently fewer conflicts. It was also pointed out to the CGJ at this time that due to the familiarity that is engendered by the use of the same Location Manager in a given neighborhood any conflicts that do arise are far easier for that familiar Location Manager to diffuse.

It was clear to the CGJ during the interview that the position of the Location Manager interviewed was that the use of specialized area Location Managers would show a number of benefits to the City. One eventual benefit cited was the elimination of the use by film companies of unresponsive Location Managers. This would be due to the difficulty an unresponsive Location Manager would have once he was compelled to deal with the same neighborhood more than once.

The main concern of the CGJ in regards to the apparent ceding of authority by the Office of the SFFVAC to the various Location Managers was a lack of oversight in regards to their quality. When questioned about this, the Office of the SFFVAC assured the CGJ that any Location Manager who behaved in a less than sterling manner would be hard pressed to find work in San Francisco again. The Office of the SFFVAC assured the CGJ several times in this regard, at one point insisting to the CGJ that word of mouth held more weight in the entertainment industry than any regulations the Office of SFFVAC might put in place.

This assertion by the Office of the SFFVAC was addressed by the CGJ during the interview of the Location Manager. The Location Manager informed the CGJ that this was incorrect. The Location Manager alluded to one particular colleague who had been at the center of innumerable conflicts and was still in use at the time of this interview. It was stated to the CGJ at this time that in the entertainment industry, "a Location Manager's bad reputation lasts a week, tops."

The CGJ informed the Location Manager of the statements made by the Office of the SFFVAC directly contradicting this statement. The CGJ was informed that, in the opinion of the Location Manager, the Office of SFFVAC is extremely ill informed regarding the actualities of film production and in need of both education and expertise in this area.

5. Comparison Between the Office of the SFFVAC and Similar Film Offices

One theme repeated again and again by the Office of the SFFVAC during interviews with the CGJ was the need for San Francisco to remain competitive among the various other metropolitan areas that vie for the attention of filmmakers. The cities of Los Angeles, New York and Toronto were among those consistently brought to the attention of the CGJ by the Office of the SFFVAC in order to illustrate this competition.

The CGJ reviewed the websites of the corresponding film offices of each of these municipalities, as well as those of other cities both large and small. It was noted by the CGJ that the Internet presence of the Office of the SFFVAC had far more in common with that of film offices representing communities considerably smaller than any of the cities mentioned by the Office of the SFFVAC.

In New York City, all film production is facilitated by the Mayor's Office of Film, Theatre, and Broadcasting (MOFTB), an official arm of the Office of the Mayor of New York City. In reviewing the website of the MOFTB, the CGJ found that there were both restrictive procedures as well as economic incentives in place, balancing the protection of the citizenry against the need to attract use by the film industry. The MOFTB website (www.ci.nyc.ny.us/html/filmcom/home.html) also provides a series of economic impact statistics allowing for a more concrete realization of the value of the film industry to the economy of New York City by its residents.

The City of Los Angeles employs a non-profit corporation whose officers are equally split between the government sector and members of various entertainment industry associations to facilitate and manage film requests within the City and County of Los Angeles, the Entertainment Industry Development Corporation (EIDC). Illustrating the status of the City of Los Angeles as the "entertainment industry capital of the world," the CGJ found the website of the EIDC (www.eidc.com) to be by far the most complete and informational Internet presence of those reviewed.

In addition to the listing of "Special Conditions," customized protections in place regulating filming procedures that cover nearly one hundred different neighborhoods, the EIDC website provides a wide variety of statistics to the general public. These include the number of complaints received from the public and the number of filming days permitted by the EIDC as well as various film production statistics provided for both Los Angeles City Council Districts and Los Angeles Supervisorial Districts.

The residents of Los Angeles are encouraged to register their homes with the EIDC for use as film locations on the EIDC website. Several pages are devoted to employment aids in the form of production calendars and contact information and the CGJ was impressed to find an area devoted to an environmental protection guide listing various environmental resources, as they pertain to film production.

The Canadian city of Toronto, Ontario was often mentioned by the Office of the SFFVAC as the most serious competitor San Francisco faced in the City's goal of increasing the presence of the San Francisco film industry. In Toronto, there are two organizations involved in the issuance of film permits, the Toronto Film and Television Office (TFTO) and the Ontario Film Development Corporation (OFDC).

The website of the TFTO (www.to-ontfilm.com/docs/ofdcmain/index.html) contains very little information on the TFTO itself. Several permit applications are available, as are several pages of a handbook very similar to the one offered on-line by the Office of the SFFVAC. The website of the TFTO however, is structured in such a way as to allow users access to the information compiled at the website of the OFDC. The OFDC does offer a website of its own (www.ofdc.on.ca) but the CGJ found the OFDC information to be more easily accessed through the TFTO website.

The information supplied by the OFDC is somewhat more complete. The CGJ found there to be listings of requirements and procedures for film-work relating both to Ontario in general and Toronto specifically as well as a variety of listings promoting the use of Canadian labor and production facilities. The CGJ found there to be no economic impact statistics available at either of these sites though there were several portions marketing the economic advantages of filming in Canada. These included tax incentives as well as reminders of the high rate of exchange afforded United States currency compared to the Canadian dollar.

The CGJ also visited the websites of many other film offices across the United States and Canada. These offices represented areas ranging from entire states to sparsely populated counties. The result of a comparison with the Office of SFFVAC website and these various film office websites found San Francisco's Internet presence to be lacking.

The Office of SFFVAC listed the cities of Los Angeles, New York, and Toronto as the main competition San Francisco faces in attracting film-work to the City. The websites of these film offices are concise, informative and vastly superior to the website of the Office of the SFFVAC. After an extensive search of the Internet and a comparison of available information, it is the position of the CGJ that the website of the Office of the SFFVAC is comparable to the Internet presence of the Antelope Valley Film Office (AVFO) on their website (www.avfilm.com).

Antelope Valley is a region encompassing northern Los Angeles and eastern Kern counties located in the California high desert approximately ninety miles north of Anaheim, California. The CGJ has little doubt that Antelope Valley is a lovely community in which to live and work. The CGJ was dutifully impressed by the Internet presence of the AVFO in light of what must be considerably limited resources compared to those of the Office of SFFVAC.

Conversely, it is the opinion of the CGJ that the limited nature of the information made available by the Office of SFFVAC on their website is reason for embarrassment and should be addressed as a top priority. If for no other reason, the CGJ feels this should be done in the interest of correcting the prevalent entertainment industry opinion relayed on several occasions to the CGJ, that San Francisco is uninformed, naive and poorly equipped to maintain a viable film industry.

6. Film Production Special Fund

Section 57.10 of the San Francisco Administrative Code entitled, "Establishment of Film Production Special Fund; Expenditures; Continuous Appropriation" details the creation of the Film Production Special Fund which is the source of operational funds for the

Office of the SFFVAC (See Appendix A.). The Film Production Special Fund is the recipient of 50 percent of all revenues received by the City for film permits with the remaining 50 percent held in reserve for costs incurred by various City departments related to film productions. The Executive Director oversees the apportionment of these funds.

The Film Production Special Fund is dedicated to the specific use of the SFFVAC. The balance of the Film Production Special Fund is carried forward and accumulated each fiscal year. As stated in SF Administrative Code Sec. 57.10., it is the responsibility of the Office of the SFFVAC to file an annual report with the Board of Supervisors detailing all revenues and expenditures of the Commission during the immediately preceding fiscal year at the same time the Office of SFFVAC presents their annual budget to the Mayor's Office.

The CGJ conducted three separate interviews with the Office of the SFFVAC. The first was in October 1999, the second in February 2000, and the final interview was conducted in May 2000. In April 2000, between the second and third interviews conducted, the CGJ released an interim report detailing the lack of compliance with reporting requirements on the part of many City departments including the Office of the SFFVAC.

In each of the meetings between the CGJ and the Office of the SFFVAC, the CGJ inquired as to the disposition of these required annual reports. In each of the first two interviews the Office of the SFFVAC refused to acknowledge responsibility for this report, somehow concluding that it was the responsibility of the Mayor's Office to present the Board of Supervisors with an accounting of the Film Production Special Fund.

The third meeting between the CGJ and the Office of SFFVAC took place in May 2000, following the release of the CGJ Interim Report, "Neglect of Reporting Requirements" the previous month. When the Office of the SFFVAC was once again questioned by the CGJ as to the disposition of this required annual report the Office initially denied that such a requirement existed. When the CGJ pointed out that SF Administrative Code Sec. 57.10. appears to apply expressly to the Office of the SFFVAC, the CGJ was told that the Office of the SFFVAC would have to consult with the City Attorney before commenting further.

The Film Production Special Fund has been in existence for over ten years. In that time, 50 percent of all revenue generated by the issuance of film permits by the Office of SFFVAC has been deposited in this fund. The use of this fund is at the discretion of a very few people. The CGJ finds it unacceptable that there appears to have never been a public accounting of this fund.

It was impossible for the CGJ to determine either the value or the disposition of this fund, as there were no statistics made available to the CGJ as to either the number of shooting days permitted or the amount of monies received by the Office of SFFVAC. The Office of the SFFVAC, seemingly unclear that it was responsible for the disposition of this fund, was also of little help in this regard.

CONCLUSIONS AND RECOMMENDATIONS

Conclusion (1)

The Office of the SFFVAC disputes the contention of the CGJ that it is the responsibility of the SFFVAC under SF Administrative Code Sec. 57.10 to provide the Board of Supervisors with an annual accounting of the Film Production Special Fund.

Recommendation (1)

The Board of Supervisors should formally convey to the Office of the SFFVAC the duties of the SFFVAC as required by SF Administrative Code Sec. 57.10.

Required Response

Mayor

Board of Supervisors

Executive Director of the SFFVAC

Conclusion (2)

The Office of the SFFVAC has no record that the SFFVAC has ever compiled or submitted to the Board of Supervisors an annual accounting of the Film Production Special Fund as required by SF Administrative Code Sec 57.10.

Recommendation (2)

The Office of the SFFVAC should be brought into compliance with SF Administrative Code Sec 57.10 and present the Board of Supervisors with the required annual accounting of the Film Production Special Fund.

Required Response

Mayor

Board of Supervisors

The San Francisco Film and Video Commission

The Executive Director of the SFFVAC

Conclusion (3)

The Office of the SFFVAC maintains no database of any kind and is unable to effectively review or manage the information generated by film-work within San Francisco. Further, an effective review of the Office of the SFFVAC is rendered extremely difficult by virtue of this lack of information.

Recommendation (3)

It is vital, from a management standpoint that the Office of SFFVAC abandon the cardboard box data collection system exhibited to the CGJ. Whether in the form of dedicated software or the use of available retail office management software, the Office of the SFFVAC must institute a system for the collection of the various pertinent data generated by film-work within San Francisco.

Required Response

The San Francisco Film and Video Commission

The Executive Director of the SFFVAC

Conclusion (4)

The Office of the SFFVAC is unable to cite any program or other proactive measure taken in fulfillment of the City's long-term goal regarding the expansion of the San Francisco film industry.

Recommendation (4)

The Office of the SFFVAC should be instructed by the Mayor and the Commission to institute a concise series of procedures along the lines of those instituted by the film offices of other cities heavily utilized by film-makers to actively promote the expansion of the San Francisco Film Industry.

Required Response

Mayor

The San Francisco Film and Video Commission

The Executive Director of the SFFVAC

Conclusion (5)

The Office of the SFFVAC does not adequately coordinate the issuance of film permits with other City departments, particularly the PLES unit of the SFPD. The Office of the SFFVAC relies far too heavily on the good nature and work ethic of the staff of the PLES and the various location managers to solve any problems created by the issuance of film permits by the Office of the SFFVAC.

Recommendation (5)

The Office of the SFFVAC should be directed by the Mayor and the Commission to actively collect and analyze data relating to the number of permits issued by the Office of the SFFVAC. The Office of the SFFVAC should be directed to use this information to avoid unfairly impacting the resources of other city agencies. The Office of the SFFVAC should further be directed to take a more proactive role in the details arising from film work in San Francisco rather than shunting the responsibility to other City departments.

Required Response

Mayor

The San Francisco Film and Video Commission

The Executive Director of the SFFVAC

Conclusion (6)

The Office of the SFFVAC delegates an unacceptable degree of its responsibilities as "neighborhood liaison" to various employees of the film companies.

Recommendation (6)

It is unacceptable that a department of the City of San Francisco would completely delegate the responsibility assigned it to a privately employed individual over which it could exercise no controls. To rely upon the professionalism of a myriad of such people employed by dozens of private companies with interests potentially at odds with those of its citizens, borders on derelict. The Office of the SFFVAC should be sternly

admonished by the Mayor and the Commission and instructed to take a more proactive role in the notifications and negotiations provided neighborhoods during their use as film locations.

Required Response

Mayor
The San Francisco Film and Video Commission
The Executive Director of the SFFVAC

Conclusion (7)

The Office of the SFFVAC does not use a standard public notification form. A suggested sample is provided within the "Film Production Guide" which requires only that the name and phone number of the location manager employed by the film company requesting the film permit be provided. There are no requirements that contact information be provided for either the Office of the SFFVAC or any other participating City department.

Recommendation (7)

The Office of the SFFVAC should be instructed by the Mayor and the Commission to institute a standard notification form to be distributed at all film locations prior to filming including the contact information for both the Office of the SFFVAC and any other participating City departments.

Required Response

Mayor
The San Francisco Film and Video Commission
The Executive Director of the SFFVAC

Conclusion (8)

The Office of the SFFVAC has a low public profile. The majority of residents the CGJ spoke to had no idea who or what the SFFVAC was. Of those who were aware of the Office of the SFFVAC, many felt it to be unresponsive to their needs.

Recommendation (8)

The Mayor and the Commission should educate the Office of the SFFVAC as to the correlation between the public perception that the Office of the SFFVAC is unresponsive to the needs of the residents and merchants of San Francisco and a lack of public support for film-work in City neighborhoods. Contact information for the Office of the SFFVAC should be present on every document submitted to the public regarding film production in their neighborhood. The Mayor, the Commission and the Office of the SFFVAC should each take the necessary steps required to improve the existing public image of the Office of the SFFVAC.

Required Response

Mayor
The San Francisco Film and Video Arts Commission
The Executive Director of the SFFVAC

Conclusion (9)

The Office of the SFFVAC is viewed by the members of the entertainment industry interviewed by the CGJ as being naive as to the procedures and unskilled in the nuances involved in successfully managing location film-work.

Recommendation (9a)

The Office of the SFFVAC would greatly benefit from instruction in all aspects of location film production. In addition there is a great need for the SFFVAC to improve both the clerical and communication skills of the Office of the SFFVAC. It is the recommendation of the CGJ that this education be provided to the Office of the SFFVAC.

Required Response

Mayor

The San Francisco Film and Video Commission

The Executive Director of the SFFVAC

Recommendation (9b)

The CGJ further recommends that the Mayor and the Commission seriously examine the Office of the SFFVAC giving consideration to the inclusion of staff possessing significant practical film production experience. Should budgetary constraints preclude this, replacement of existing staff should be considered. It is the opinion of the CGJ that the addition of staff with this type of experience to the Office of the SFFVAC staff would greatly aid in the promotion of the San Francisco film industry. It is further the opinion of the CGJ that such an inclusion of staff by the Office of the SFFVAC will allow for a more productive dialog between the Office of the SFFVAC and the public.

Required Response

Mayor

The San Francisco Film and Video Arts Commission

The Executive Director of the SFFVAC

Recommendation (9c)

It is the recommendation of the CGJ that the Board of Supervisors revisit the Administrative Code as it pertains to the San Francisco Film and Video Commission. The intent of this recommendation being to correct the lack of required film industry vocational experience among either the Commissioners of the SFFVAC or the Office of SFFVAC staff. The CGJ considers the inclusion of such knowledgeable individuals to be necessary to the effective expansion of the San Francisco film industry.

Required Response

Board of Supervisors

Conclusion (10)

The Office of the SFFVAC fails to adequately provide alternative location and scouting assistance resulting in the excessive use of some neighborhoods by film companies.

Recommendation (10)

The Office of the SFFVAC should be directed by the Mayor and the Commission to compile and analyze all data relating to neighborhood filming in San Francisco remaining mindful to avoid the excessive approval of film permit requests on any one street or in any one neighborhood.

Required Response

Mayor

The San Francisco Film and Video Commission

The Executive Director of the SFFVAC

Conclusion (11)

The Office of the SFFVAC has no requirements for neighborhood permission or consensus among areas impacted by location filming. The Office of the SFFVAC is uninvolved in public interaction in this regard, delegating all responsibilities for public representation to the location manager employed by the film company that requests the film permit.

Recommendation (11)

A series of protective procedures such as those in use in Los Angeles, CA and Toronto, Ontario should be negotiated between the Office of the SFFVAC and the various neighborhood associations of San Francisco. These procedures should then be instituted by the Office of the SFFVAC and included in all of their informational materials both printed and electronic.

Required Response

Mayor

The San Francisco Film and Video Arts Commission

The Executive Director of the SFFVAC

Conclusion (12)

The Office of the SFFVAC does not maintain statistics on complaints registered by the public with their office. Public complaints made to the Office of the SFFVAC by telephone are not recorded or addressed by the Office of the SFFVAC in any way. This is particularly disturbing in light of the fact that each and every example of a public complaint that the CGJ shared with the Office of the SFFVAC was discounted as an isolated event, if not completely fabricated.

Recommendation (12)

The Office of the SFFVAC should be instructed by the Mayor and the Commission to institute a telephone complaint line in order for the public to register their complaints with the SFFVAC. The Office of the SFFVAC should further be instructed by the Mayor and the Commission to document any and all public complaints, whether received by telephone, electronic mail, or written form, in a database devoted specifically to such complaints.

Required Response

Mayor
The San Francisco Film and Video Arts Commission
The Executive Director of the SFFVAC

Conclusion (13)

The current Film Production Guide distributed by the Office of the SFFVAC is both out of date and inaccurate. In addition, it is extremely superficial and contains no statistical information of any kind, rendering it of very little educational use to the public.

Recommendation (13)

The Film Production Guide in use by the Office of the SFFVAC needs to be completely rewritten. The new guide should include standardized examples of the necessary forms complete with contact information for the Office of the SFFVAC, a standardized complaint form, statistics compiled by the Office of the SFFVAC pertaining to economic impact, and employment statistics relating to the San Francisco film industry. The new guide should showcase any and all information useful to the expansion of the City's film industry.

Required Response

Mayor
The San Francisco Film and Video Commission
The Executive Director of the SFFVAC

Conclusion (14)

The Internet presence of the Office of the SFFVAC is woefully substandard in comparison to those maintained by the film offices of those cities often used as locations by filmmakers. The website maintained by the Office of the SFFVAC is essentially an electronic version of the Film Production Guide and fails to provide the public with any meaningful educational material.

Recommendation (14)

The websites of the film offices of Los Angeles, New York and Toronto, Ontario are seen by the CGJ as examples of what the Office of the SFFVAC should emulate. The Office of the SFFVAC should be instructed by the Mayor and the Commission to include on the SFFVAC website the results of all procedures that are instituted by the Office of the SFFVAC for the collection and dissemination of data. All necessary forms, bearing the contact information for the Office of the SFFVAC should also be made available on-line. The CGJ believes this to be an extremely appropriate forum for the Office of SFFVAC to act as an advocate for the San Francisco film industry and any programs, listings, or referrals that advance this concept should also be made available on-line by the Office of the SFFVAC as well.

Required Response

Mayor
The San Francisco Film and Video Arts Commission
The Executive Director of the SFFVAC

APPENDIX A

San Francisco Administrative Code Section 57.1-57.13

APPENDIX B

Permit in use by the Port of San Francisco for location film production