



**MINUTES OF THE OCTOBER 27, 2014 MEETING - DRAFT**

1 Dr. Carlton B. Goodlett Place  
City Hall, Room 416  
San Francisco, CA 94102

**CALL TO ORDER**

President Denise Bradley-Tyson called the meeting to order at 2:06pm.

**ROLL CALL**

Commissioners Present:

Melanie Blum  
Denise Bradley-Tyson  
PJ Johnston  
Marlene Sharon Saritzky  
Villy Wang  
Matt Stiker

Commissioners Excused:

Peter Bratt  
Jon Rubin  
Mark Fishkin

Absent:

Robert Morales  
Don Canady

**APPROVAL OF THE MINUTES FROM THE SEPTEMBER 22, 2014 MEETING (ACTION ITEM)**

President Bradley-Tyson asked for a motion to approve the minutes of the September 22, 2014 meeting. Commissioner Johnston made the motion and Commissioner Stiker seconded the motion. Commissioner Stiker commented on the remarkable job of capturing the minutes by Miss Maggie Weiland which helped him catch up when he was absent at the last meeting. President Bradley-Tyson asked for public comment and none was given. The minutes were approved.

**PRESIDENT'S REPORT (DISCUSSION ONLY)**

President Bradley-Tyson begins by summarizing the meeting between herself, Deputy City Attorney Adine Varah, Deputy City Attorney Andrew Shen, Vice President Wang, and Director Susannah Robbins. We met to talk about the relationship with the Friends of the Film Commission and specifically discussed how to ensure transparency and modeling ourselves after the Friends of the Recreation and Parks Department. President Bradley-Tyson has a



copy of their MOU, for anyone interested in seeing it, to help facilitate our drafting of a similar MOU and also establishing quarterly reports from a member of the Friends of the Film Commission. They have agreed to have the first one at the January meeting. President Bradley-Tyson asks if Deputy City Attorney Adine Varah has any highlights of what the Commission might need to be mindful of.

Deputy City Attorney Adine Varah thanks the President and does not have any specific details to describe, but explains that their office is happy to work with the Commission in drafting any Memorandum of Understanding (MOU) with the Friends of the Film Commission and with advising in issues regarding acceptance of gifts and proper disclosure, reporting and other procedures related to the relationship with the Friends of the Film Commission.

Commissioner Johnston asks if the Friends of the Film Commission need to be a non-profit with a 501c3 or under a fiscal sponsor. Director Robbins explains that they are under the Chamber of Commerce. Commissioner Johnston also asks if they are ready for an MOU with the Commission. Director Robbins confirms that they are up and running and that it is appropriate to have an MOU established. Commissioner Blum asks what does “up and running” mean and Director Robbins explains that the Friends of the Film Commission meets monthly and have about 15 Advisors in the group composed of people from the Chamber of Commerce, Local 16, the Teamsters, SAG-AFTRA, etc. and are a good representation from all the parties involved in filming in SF.

Commissioner Saritzky asks if they are still doing their first event in November and Director Robbins replies that this is probably not going to happen due to the short timeline. Commissioner Blum asks what the communication is like to the Commission when Friends of the Film Commission undertake an event. Director Robbins responds that this is what the MOU will have to outline and will, in general, guide us in our procedures together.

Commissioner Blum asks if, until the MOU is drafted, the Friends of the Film Commission should not do anything. Director Robbins directs the questions to Deputy City Attorney Varah who explains that Friends groups do not have to have an MOU with a city department in order to collect funds or contribute funds, but having an MOU is helpful to outline how the two parties are going to work together, such as how to prioritize or communicate fundraising goals for the year or on a particular project. So anyone can establish their own private, non-profit to raise funds for different purposes. Some Friends groups don't have separate agreements with the city department they represent and some do. It can help to get everyone on the same page in terms of protocol and funding priority.

Director Robbins says we had an initial meeting between the Friends of the Film Commission and President Bradley-Tyson and Vice President Wang to outline our goals and about communication and what our message was that we wanted to have out there. We will continue to follow up and want to establish an MOU so things are more laid out clearly in a document that everyone can agree to. Commissioner Saritzky asks that if one of their goals is to raise money that can help the Commission Office market the city more aggressively, how does that money get spent or transferred and who makes these decisions. Deputy City Attorney Varah says that these are issues that can be worked out in the MOU. Another question that can be answered in the MOU could be: if they collect funds, will they give it to the city to spend or should the Friends of the Film Commission pay directly for goods and services?

Commissioner Johnston explains that his experience with other city departments' friends groups and other non-city non-profits related to the city is with the San Francisco Arts Commission Gallery. It is part of the city's Arts Commission but it has its own board that raises money to do promotions for shows and to generally help the gallery. The decision-making for the gallery is with the city government entity. I think it would behoove us to drill down into details into the MOU in this regard because any organization that cares about film or the city can form nonprofits, raise money and spend it; they can essentially do what they want. If they want to use our name or have interactions with us, at the front end, it would be good to work out those things so that we can establish when they contribute directly to what the advertising program should say. The details that we want to push into the MOU will help us to work in concert and avoid conflicts that other Friends committees have experienced. Director Robbins closes by stating that Commissioner Johnston's input when we get to that would be really helpful.

President Bradley-Tyson asks if there are any other questions regarding the Friends of the Film Commission. There were none.

President Bradley-Tyson shares that she reached out to a couple of developers regarding a permanent production space and scoping out what our space requirements would be. We are trying to restart those conversations before all land in the city is developed and try to carve out a permanent space for film making in San Francisco.

President Bradley-Tyson lastly shares that she, along with Director Robbins, attended last week the reception for the 9<sup>th</sup> St. Independent Film Center where we had 5 film makers who are recipients of our Films Space Grant. It was well attended and the film makers were appreciative of our support that we continue to give the film making community. There were some quite good projects there. Director Robbins added that it was very exciting to see what they were doing and everyone thanked the Commission. It was nice to know that they know that part of the reason they can afford the space is because of the grant we have created.

President Bradley-Tyson asks for public comment and thanked the public for being there. There was no public comment.

### **EXECUTIVE DIRECTOR REPORT (DISCUSSION ONLY)**

Executive Director Susannah Robbins begins her report by introducing the newest member of the Film Office, May Liang. May was chosen for her strong organizational skills through work as a Stage Manager at the Fringe Festival and as a Campaign Organizer for a non-profit organization ASPIRE. She has a winning personality and seems like a really good fit for our office. We also want to congratulate her on her marriage this weekend.

Director Robbins gives an update on the number of recent film permits and notable productions we've had in town. This past month, we had 64 permits with 160 shooting days and permit fees of \$33,650. This is in line with last month's numbers, of 57 permits and 170 shooting days, and 37,750 in permit fees so we are keeping up the good energy that's been building this whole year. The most notable productions shooting during this time were 6 days of American Idol and 20 days of Season 2 of Looking for this past month.

Director Robbins also shares information and a film trailer of Big Eyes, the Tim Burton films starring Amy Adams & Christopher Waltz which shot here last fall. It will open in theaters Christmas Day. Ms. Gail Stempler (in audience) was the Locations Manager for this film and did a wonderful job in difficult North Beach.

[Trailer for Big Eyes was shown.]

Director Robbins commends Ms. Stempler for showing San Francisco beautifully.

Director Robbins continues with the biggest news, which was confirmed today, that the Sony Film about Steve Jobs, written by Alan Sorkin and directed by Danny Boyle, will be shooting in San Francisco and applying for our rebate. The film stars Christian Bale and they will begin to set up production office space in November, and plan to begin filming in March. The film is based on Walter Isaacson's biography on Steve Jobs. We are very excited about this because we weren't sure if they were going to come here due to them not being a recipient of the state tax credit. We didn't think they would consider doing it here, but we found out that they are. They are already in talks with the Port about using the office spaces at Cesar Chavez. We don't know about the stage space yet, but they are looking into Shed A and D. Their fallback is stage space in Alameda. While cost won't be rebate-able if they use Alameda, the days that they shoot out there will be eligible.

Director Robbins then reports on the upcoming Sundance Film Festival and marketing opportunities at Festival Sundance Film Festival runs from Jan 22 - Feb 1st. I didn't go last year, but this year I will be attending, as this is a perfect opportunity to promote the concept of combining the new CA incentive and our Rebate as a way for independent films to be able to afford to film in SF. Just so you know, for a studio film the tax credit is 20%, the

tax credit allowance for an independent film is 25%, and with the new tax credit, there is an extra 5% bump for independent film makers shooting outside Los Angeles, for a total of 30%. This is comparable to other states even though we are BTL, but it's making it more affordable to shoot here. They can add our REBATE to it, making it more cost effective to shoot in SF. This will be the first opportunity to go out to independent film makers to let them know. I was emailing with Noah Cohen at the Film Society about film festivals he thought we should target to get our messaging across, and when we were talking about Sundance, he mentioned the party the Film Society does annually at Sundance for independent Filmmakers. This seems like a great marketing opportunity for us to participate in, as they will have close to 200 film makers in attendance. I did attend that one the first year when Graham Leggat was the director of the Film Society and that was a great opportunity to get info about the rebate program out. We are going to be taking part in that, doing a co-presentation to the filmmakers there. I have agreed to put \$5000 towards the event, out of our marketing budget. I think it will be a really good opportunity because this new state tax just opens the doors for us to be able to promote the new combination. It's very exciting.

President Bradley-Tyson asks: outside of the event with the Film Society, is it all sort of informal, as in pitching to people as they pass? President Robbins answers that yes, I am going to be buying the regular pass that let you go into the various venues where you can go around and strike up conversations. New York always has a coffee shop that they open and I go to it and hand out my card, and this year, I will have more to offer them.

Commissioner Stiker asks President Robbins to talk more about how the \$5,000 will be spent. Director Robbins answers that the \$5,000 is our contribution at that specific event. We will have printed postcards that will highlight the combination of the 2 incentives.

Director Robbins continues her report by talking about the progress of the update of our website, ads and surveys. The website will be updated by the end of the month and we are very excited because it's only a week away. We have ads being worked on by both Teak Digital who did our ads last year on MUNI, which are still up, and the graphic artist we've used in the past, ArtGirl Designs for upcoming issues of Sundance catalog and AFCI's Beyond Cinema publication, which will be distributed at SUNDANCE & SLAMDANCE • PALM SPRINGS FF • NATPE • EFM/BERLIN • AFCI LOCATIONS SHOW • SXSW. Due toward end of November, we are still waiting for ideas from those groups. The focus of the ads will be about combining the new state tax credit with our local Scene in San Francisco Rebate Program.

Lauren will be attending the COLA awards Sunday 9th of November, which is an awards event that highlights the location managers, and on that Monday and Tuesday, she will also be going to AFM, the American Film Market, a film industry event held each year at the beginning of November in Santa Monica, California. About 8,000 people attend the eight day event to network and to sell, finance and acquire films. Participants come from more than 70 countries. We are printing a postcard for her to hand out, which highlights the combination of the tax credit and our rebate, as this is an ideal location to reach out to independent film makers. She will be there to hand out the information.

Commissioner Stiker asks if COLA is in LA as well and Director Robbins says yes.

Director Robbins ends her report by talking about the Survey Monkey survey. It was created to gauge the public's perception and knowledge of filming in SF and it has been completed. I sent out copies of it last week for all to check out. This was created with the help of Next Steps Marketing (pro bono) and input from myself and Commissioner Stiker. This will go out to neighborhood and merchant associations with request to give that out to their membership. We are also reaching out to Office of Small Business and the Mayor's Office of Neighborhood Services to ask them to help us get this out to their contacts, as well as SF Travel. We don't know how long it will take to get feedback but hopefully we will have something to share next meeting. I plan to send this out Wednesday.

## **FILMING NOTIFICATION GUIDELINES (ACTION ITEM)**

Director Robbins begins by giving an update about the Notification Guidelines for productions which was voted upon by the Board of Supervisors on October 7th, 2014. As you know, Supervisor Cohen had introduced legislation to put our notification guidelines into the Administrative Code. There was a question as to whether or not she would ask for a firm 72 hours for neighborhood notification by productions or to add the wording “when feasible.” We want to thank Supervisor Cohen for agreeing to re-insert the “when feasible” language, it was really important that that be put in there. The Board of Supervisors voted unanimously on the legislation introduced by Supervisor Cohen which requires 72 hours notification, when feasible. The legislation goes into effect November 14th; 30 days after Mayor Lee signed it.

I need to really point out the importance of the “when feasible” language for everyone – why it was crucial that this be included in the legislation. When a studio’s Risk Manager is looking at the decision as to where to shoot a film, one huge consideration is the need to be able to run to cover, in case of weather, illness, and other “ACTS OF GOD” that make a location un-filmable that day. If the notification procedure were held to a strict 72 hour restriction, this would have taken away the production’s ability to run for cover. The more you restrain a company from being able to run for cover, the less any risk manager or legal department will allow a production to film in that city. When considering San Francisco for a filming location, the lack of a definite stage space is one factor which limits their ability to run for cover. Luckily, we have been able to find things, but when they look in advance and see that we don’t provide a space to cover, that’s another risk for us. If we had restricted them to a 72 hour notice rule, they couldn’t take that risk.

Everyone wants to film in SF – but if you take away their ability to run for Cover, their risk managers won’t let them film here – because they couldn’t insure the film, they can’t ensure that they can complete it on time. The same goes for commercial productions and TV show so we’re really thankful that we were able to get that clause inserted, it’s crucial.

President Bradley-Tyson asks for commissioner comment. President Bradley-Tyson reports that at the Mayor Brown breakfast with Commissioner Johnston, Rachel Maddow was filming with NBC in San Francisco today. Hopefully we will have additional media boost from her shooting here today. She was the guest speaker at Mayor Brown’s event. Commissioner Stiker jokes that the World Series should also give San Francisco a boost of exposure.

President Bradley-Tyson asks for public comment. Ms. Kathleen Courtney is a film maker in San Francisco and Vice Chair of DGA, SFCC, and member of Producers Guild of America. There is no doubt that the 72 hour verbiage was so critical. When I hear how close we were to not having that, it will make all the difference in the world. We will not be able to plan to shoot in San Francisco if we cannot cover. We end up having an idle crew, up to 200 people, waiting. You lose hundreds of thousands of dollars and I’m glad we have someone like Susannah who can explain it so clear, thank you. I was talking to the people making jobs and it’s not just them coming, they cut salaries to come to San Francisco. They worked very hard to come here to shoot so this is quite an honor because it’s a wonderful reflection of your filming community. They never would have fought that hard if they couldn’t make a class a movie; if they had a 72 hour restriction that would be quite a hamstring. Thank you for allowing me to have that moment.

President Bradley-Tyson thanks Ms. Courtney. Next Mr. Frank Simeone, Executive Committee of the DGA and staff at SAG: I concur with everything that Ms. Courtney said about having that little bit of flexibility, it makes a world of different. I’ve been in that situation and it’s uncomfortable for everyone so it’s a good thing to be moving forward.

Next Ms. Gail Stempler, Location Manager in San Francisco for the last 40 years. I’ve done commercials, little films and giant film. I wanted to bring it to life for you. We had James Woods filming “True Believer” and he was supposed to kick down the apartment door. The door was rigged and when he kicked it down, everything should have been fine, but when the door was kicked down, a part of the plaster from the door frame popped directly into his eyes. The take was ruined and he had to be taken to the emergency room. We had to arrange to come back to

that location. If we were hamstrung by 72 hours, it would have been extremely difficult to get back to that location. We were not a huge budget film. I understand that “Looking” recently had a situation where an apartment owner allowed them access and the contracts were signed, but somehow the owner or manager had neglected to pass on the information to tenants and they were asked not to film. On “Nash Bridges,” I got a phone call asking how we got into a building they wanted to film in. I knocked on every single door and everyone knew I was coming. They just contacted with the owner/manager and they were locked out of that location. And you can lose \$200K or more for the day or more. You can be fined and you weigh the options: should I take the \$60K fine or shut down filming? If we have to say to the film world, “Sorry you might not be able to film,” they would think 2 or 3 times about coming here. They love this city and it’s absolutely magnificent. I had clients with the “Age of Adaline,” not out yet, an Ellen Burstyn film. They went to Vancouver because they couldn’t get money back here. 5 months later, they called and said we have to come to San Francisco. We cannot live without the exterior shots of San Francisco. They came and spent 4-5 weeks getting ready, putting it together and doing beautiful shots of San Francisco like in “Big Eyes.” “Big Eyes” had more time here, but we did change things because of actor availability and not them feeling well. It’s crucial to have some flexibility. We are not trying to take advantage of anyone and I don’t want to make people unhappy. When I took over “Basic Instinct,” we had a neighborhood screaming up in arms because Montgomery Street was closed for 2 days and they never showed up to film. I promise that this will never happen again. I will give them real date, go door to door, and my staff and I really did that. We can’t make people happy all the time, but we make a real effort to do that. And I think this is what a part of being San Francisco is about. It’s a human, beautiful city and we respect the people in it and it’s a work in progress between all of us. Thank you.

President Bradley-Tyson asks if there were more public comments. There were none.

President Bradley-Tyson asks Director Robbins about the Filming Notification Guidelines. Director Robbins starts by stating that in accordance with a recent amendment to San Francisco Administrative Code Section 57.6(c), the Film Commission is required to establish film production notification guidelines that specify the types of unpredictable circumstances encountered at times by film production companies that would reasonably interfere with scheduled film production activities and render 72 hours advance notice infeasible.

In working with a input from a number of location managers, including Ms. Stempler, and with guidance from the City’ Attorney’s Office, the Film Office has created the Filming Notification Guidelines which we need to discuss and vote to approve before submitting them to the Board of Supervisors.

The basics guidelines of the notice shall include the name of the film company; the date(s) and times of filming; a general description of the production activities and the anticipated parking or traffic obstruction they will cause; a local contact number for the film company; and contact information for the Film Commission and the Police Department. This is information already being disseminated anyway, but now written into code; this is already in our current notification guidelines.

The film company may provide the notice through signs, leaflets, telephone calls, door-to-door canvassing, U.S. mail, and/or through the internet or other digital media, provided that any such notice shall be reasonably calculated to inform the affected residents and businesses of the anticipated parking or traffic obstruction.

To be clear, 9 out 10 times it is a hand given notification and depending on neighborhood, we will also post it to next door. We usually post to next door Potrero Hill.

The affected residents and businesses to which the film company shall provide notice are those residents and businesses within 150 feet of the location of the anticipated parking or traffic obstruction.

A “parking or traffic obstruction” triggering the notice requirement is a street closure; a significant delay in the flow of traffic; or any truck or other vehicle, including a trailer, or combination of trucks or other vehicles, occupying more than 3 parking spaces.

The film company may coordinate their notification efforts with those of the Executive Director of SF Film commission or Director's designee if any.

The one thing I really want to be clear on today and would like our audience to listen to is the unpredictable circumstances that we have outlined in this document because if we can all agree on this today, we can vote on it and be turned into the Board of Supervisors. It can be amended if there are things we have left off and it is also my understanding that his document in general can be amended at a later date. Director Robbins checks in with Deputy City Attorney Varah who agrees.

Unpredictable circumstances: The film commission has determined that the following types of unpredictable circumstances encountered at times by film production companies are those that would reasonably interfere with scheduled film productions and activities and render the notice under the San Francisco administrative code section 57.6c infeasible:

- Bad Weather (such as fog/rain) which makes it unsuitable for filming the scene scheduled that day and a need to return to that location under the 72 hour timeline
- Medical Issue for cast or significant crew member which renders filming scene at selected location impossible and the need to reschedule for that location under the 72 hour timeline
- Flight delays which prohibit Director or key crew to arrive to SF to film on selected day and the need to reschedule for that location under the 72 hour timeline
- Nearby construction causes noise which prevents recording sound, requiring a move to a different location or return to location on a different day within the 72 hour timeline
- Unexpected construction, traffic conditions or other obstacles in same place as scheduled location, requiring a move to a different location, or return to location on a different day within the 72 hour timeline
- Selected location cancels agreement at the last minute, requiring production company to move location
- Selected location delays signing location agreement until less than 72 hours in advance of filming at selected location
- Director makes creative decisions which change the planned activity for the production team at a location less than 72 hours in advance of filming at selected location
- Agency or client changes creative concept for a commercial or corporate film less than 72 hours in advance of filming at selected location. We can change that a little bit.
- Key prop is delayed (prop can be a "one of a kind" product not yet in production and therefore shooting cannot take place without it. (For car commercials, picture car availability can be unexpectedly delayed due to weather and/or customs)
- Key talent has to change their schedule at the last minute (in some cases, can be the Governor or other dignitary)
- Production has to change location due to visiting dignitary, such as the President, which prohibits the production from working at selected location
- Legal issues raised by any party associated with the shoot. (Contractual issues requiring legal "sign-off" can arise at the last minute regarding legal ownership of copyrights of signs, building trademarks, etc. Oftentimes final legal permission from ownership can be delayed and/or denied at the last minute.)

That is the document as it stands. If anyone has any comments of other things that should be included it would be helpful to have now before we go to a vote on it.

President Bradley-Tyson asks for Commissioner comment.

Commissioner Johnston asks if the nature of what we're going to vote on, the outline of what the unpredictable circumstance are, will that be paired with the legislation that the Board passed? Deputy City Attorney Varah confirms. Commissioner Johnston asks: in other words, they left determination of unforeseen circumstances for us to define?

Deputy City Attorney Varah says yes, what the legislation does is it talks about the circumstances beyond the film production company's control or other unforeseen circumstances; what film production companies typically encounter as specified in your guidelines . So something like war or terrorist act would be something beyond the film production's control but the Board wanted some guidance from the Film Commission about the kinds of things that typically happen on the ground with the film production.

Commissioner Johnston asks if after we do this, this becomes our guidelines. Deputy City Attorney Varah answers yes, that's correct. Commissioner Johnston asks: does the Board of Supervisors expect to see it and okay it or do they revise their legislation or are we good to set up these guidelines ourselves? Deputy City Attorney Varah answers that the legislation is set up so that you set the guideline yourselves. The Board can always amend future ordinances, but the idea was that the Commission to determine the guidelines based on its expertise in the area.

Commissioner Johnston asks that in the first several bullets where it says need to return under the 72 hour deadline or reschedule under the 72 hour tapeline, it's repeated over and over. My understanding of the notification is that you have to notify at least 72 hours ahead of the scheduling date, but it's for that date so what is the timeline?

Commissioner Blum: When feasible, I think within 72 hours. So I think it's less than 72 hours...

Director Robbins: so basically if, what they would like is that they are notified 72 hours in advance of the shoot date, but what this allows for is that some of these circumstances come up, they can be notified less than 72 hours.

Commissioner Saritzky: You mean that they can go and find another location and still shoot there and not have to notify the neighbors 72 hours in advance.

Commissioner Johnston: Okay, I understand. I think that within the 72 hour timeline is somewhat confusing because it's a different concept than notifying 3 days in advance. It's now saying there's that window, but it's not a window, it's a time period...

Commissioner Saritzky: It's an exception to the window. Johnston: right.

Director Robbins: So how would you word it?

Johnston; they need to r return to that location without posting 72 hour in advance or setting up a new one without having 72 hour notice

Saritzky: can it just say the film commission has determined the following types of unpredictable circumstances encountered at times are those that would reasonably interfere with and render the notice under the administrative code infeasible such as bad weather which makes it unsuitable, medical issues for cast or crew, flight delays, nearby construction noise, and...just list the reasons. Because something it says under the 72 hours and sometimes...

Johnston: I'm going to suggest that there is a window of opportunity. But it's not a window of opportunity; it's a deadline for posting. So I would just take out the phrase altogether.

Varah: Just to clarify, the proposed change would be a deletion of every phrase that references the 72 hour timeline or 72 hour advance notice?

Johnston: Yes, 72 hours is within the top of the guideline. The 72 hour notice is frankly what we are talking about, 72 hour notice, not a timeline. I might suggest a continuum. It's a deadline or a notice.

Saritzky: It's actually being able to not use the 72 hour deadline.



Johnston: Leave everything before Section A and eliminate it from the circumstances happen regardless of timing.

Stiker: For full clarity, in the statement that precedes the reasons in B, would you add “are those that would reasonably interfere with scheduled film production activities and render the 72 hour notice under San Francisco administrative code section infeasible.

Saritzky: Yes, and then just list the reasons that would be excuses. There is agreement within commissioners  
Johnston: Now to the excuses themselves. I certainly as a film commissioner am prepared to accept all these reasons. I think we will get push back on “client changes/creative concept.”

Robbins: We could get push back, but I think that we need to have that in there because that is a situation which comes up and again we’re working with creative. This is an art world and if we are going to shackle them, then we will not get them.

Saritzky: The director needs the flexibility to change his or her mind and again we’re looking for exception. We are not saying “now you can do whatever you want because it’s raining.” It’s a little more restrictive than that.

Robbins: I understand and I thought that would get push back too but given that we are being given the task of creating these guidelines, I think we need to put this in there and deal with it if they come and push back.

Johnston: key talent changes their schedule at the last minute and some cases that can be the governor or other dignitaries. What does that mean? Is that an example meaning the governor shooting a commercial?

Robbins: the governor could be a part of a public service announcement or something and your scheduled... That doesn’t have to be in there, but that was an example that a locations manager sent me.

Johnston: That’s a good example because it illustrates that it’s not because...Burt Reynolds had a haircut appointment or something. Laughter ensues.

Wang: Can I also offer just a question or suggestion? It’s also the lawyer hat in me is saying there’s that delicate balance because these are the exceptions. They’re the unpredictable circumstances, but what we’re being forced to do is predict them. So we are basically trying to show the exception, but we’re basically saying “okay here’s the grant list of where the horse has been before. There are things that have happened before that we’re deeming unpredictable. Is there a way, because the minute you start listing it, you’re going down the slippery slope. Then it’s like, oh it’s not on the list so even something as small as flight delays, why isn’t it transportation delays? Who are the people who don’t want to go on a plane and travel by railroad? So where do we draw the line in that way? I’m a little confused about how detailed we really want to go because then you open the box and you say “okay it’s detailed. These are what we’re predicting as unpredictable circumstances, but there may be others that are based around the intention of trying to define...anything can happen in production companies so you have to make it broad enough that it fits, but also not so broad that it looks like we’re taking advantage of the exception, because we’re not.

Varah: One thing, I think, it’s a really good question and it was something that the board wrestled with, what are these, how will we know what they are, if they are unpredictable how can we predict it. I just have one note about the legislation and then a suggestion. One exception, again circumstances beyond the film production company’s control or other unforeseen/unpredictable circumstances. So there is already that leeway for things beyond the control, we can certainly reiterate that phrase or other circumstances beyond the production’s control; it tracks the language of the legislation. Right now the legislation has the guidelines going; they’re reported to the board of sups. You may get feedback on them but right now it’s just a submission and it gives you the opportunity to amend them from time to time as more things occur, you may refine them further. But you can certainly quote that phrase that’s already in the legislation. It doesn’t change what’s there.

Wang: Yes, it could be something like that and then it's like "Which may include the following" and then list. .. I think that sounds wise because also just in the interest of time, energy, and effort, we can go down the list and if we keep trying to refine the very fine print of these individual words, I'm not sure that's the most productive approach given the intent of what this document is supposed to represent. I do think Adine, if there is a way to wrap that in?

Robbins: So could we just have that be our last item "or other circumstances beyond the production company's control?"

Wang: It could either be the last line or you set the context upfront.

Blum: I think that to some extent, setting the context upfront and maybe reducing all these bullet points by just saying "beyond the film production's control such as inclement weather, transportation delays.." so that somebody doesn't feel like we've got this 87 points, but that in reading it, it seems reasonable.

Johnston: I agree because I think if we get really exhaustive in our listing, first of all, more is less because we have the catch all "unfeasible due to unpredictable circumstances." If we can prove or show/demonstrate that it's beyond the film production's control, then we're probably in safe ground. If we over do this, I just... given the experience we just had with the supervisor, she's going to come back and take this out. I predict that a member of the supervisors would come back if they feel like we're overplaying our hand because for every example of fixing the problem on the film shoot in north beach, the people you are cleaning up after. And the supervisors already got examples that she's feels anyway were poorly handled or abused by a production company. And so I think we should look like we're and we really should be working with the 72 hour notice. We were before, frankly, but we ought to be careful.

Robbins: So Adine, could you help us reword that front end?

Varah: So you want us to include an introductory phrase after this first paragraph in B that tracks language of the legislation that refers to "72 hour notice requirement shall not apply where prior notice is infeasible as provided in the legislation. 72 hour notice shall not apply where prior notice is infeasible to circumstances beyond the film production company's control or due to other unpredictable circumstances that interfere which shall include the following.

Commission: Can we say "such as?"

Varah: "Shall include, but not limited to" or...

Commission: Yes.

Varah: Okay, and the other change that you had asked for was the removal...or in other words, just listing what the circumstances are rather than including references to the 72 hour timeline or the 72 hours in advance of filming at the selected location. Those phrases referring to 72 would be deleted. And those were the proposed amendments to the guidelines.

Robbins: And so PJ, are you suggesting we take out the agency or the client/director changes and have that be the...

Blum: Why can't we just say creative changes period? Why does it have to get into the director, agency, or client? What happens if the actor decides to play the role differently and somebody wants to make an issue of that? I think it's just creative changes.

Johnston: I think the creative decisions would change, which change the planned activity. And then I would directly drop the second...

Varah: Sorry, creative changes that...?

Johnston: So the last bullet on the first page of this. Just start with Creative decisions that change the planned activity for the production team.

Varah: Instead of agency or client changes?

Johnston: Yes, that one we take out altogether.

Saritzky: And we're going to change flight delays to transportation delays.

Machado: Can I just add something for the bullet right under that where it says nearby construction causes noises? I would just say nearby noise because there are so many things that could fall under.

Stiker: 2 down from that Lauren, again just in the interest of editing and condensing, the selected location, you can do cancel/delays. The 6<sup>th</sup> and 7<sup>th</sup> point, just combine those points: selected location delays/cancels location or signing agreement. Do we need to add anything in here about natural disaster or is that just assumed?

Johnston: I think that's pretty well covered by infeasible due to circumstances.

Varah: We can certainly add it if you want, there is no harm.

Johnston: the reason I wouldn't is because I think it's a whole, big thing onto itself.

Stiker: How about something that is at least somewhat unexpected, but could be every other year like the World Series? Here we have this gigantic city wide event, what are the chances that it could impact filming that has been booked for months in advance?

Saritzky: Are you talking about unexpected construction, traffic conditions, etc...

Robbins: Looking has had an issue with, even though it's wonderful that the Giants are here, the parking lot that they've been parking there...trucks in overnight is not available whenever the giants have been in town so they had to do a quick thing with SFMTA to get them parking and get around the building, 24 hour parking because the Giants made the situation difficult.

Bradley-Tyson: Are there any more changes or additional public comment?

Varah: I have one clarification. "Unexpected construction, traffic conditions, or other obstacles in same place as scheduled location or near scheduled location." Is that what you are talking about with special events?

Wang: Or what if you delete the location entirely, what if you just stop after other obstacles or say other physical obstacles? So you're not...is that too broad?

Robbins: I think you kind of need to leave that in there.

Wang: In same place or near... You don't need to put in requiring to move or...it's too much

Johnston: Traffic conditions should cover that. You don't have to be in the exact same place with traffic to mess it up

Wang: So unexpected construction, traffic conditions, or other obstacles...

Johnston: requiring a move to different location.

Bradley-Tyson: Given that we have to vote on this, I'm wonder Adine, if you would read what the new language is?

Robbins: From B on.

Bradley-Tyson: Are there any other comments or questions?

Varah: As provided under section 57.6c, the 72 hour requirement shall not apply where prior notice is infeasible due to circumstances beyond the film production company's control or due to other unpredictable circumstances that interfere with the scheduled film production's activities which shall include but are not limited to...and then we go to our bullets. I could read them through if you want with the changes that we think they are going to be. Please step in if I have misunderstood something.

- Bad weather such as fog or rain...

The Commissioners agree to just leave it at bad weather.

Varah: Okay.

- Bad weather that makes it unsuitable for filming the scene scheduled that day
- Medical issues for cast or significant crew member that renders filming the scene at selected location impossible...

I would just say infeasible.

The Commissioners agree.

Varah:

- Transportation delays that prohibit director or key crew to arrive in SF to film on selected day.

Blum: I think we're getting too wordy.

Stiker: Just say transportation delays period.

Blum: Transportation delays, medical issue, bad weather. I mean these are things that could impact filming.

Stiker: We don't have to be describing how they impact filming.

Robbins: To be honest, I think the Board of Supervisors have no idea about all of what it takes to make a film...what all the components are and I think it's important to spell out as much as we can. I think if we just say transportation delay, they're like, well how can transportation be delayed? I think we should really explain it to them...

Blum: Well then I would say transportation delays of cast or crew.

Saritzky: Right because is it the selected day, what if it's the right day but the wrong time...

Wang: And it could be of key cast and crew so it's not like you're "oh the extra got delayed on the MUNI" kind of thing.

Varah: So of director or key cast or crew?

The Commissioners agree to just say key cast or key crew, it doesn't have to specify the director.

Varah: Okay.

- Nearby noise which prevents recording sound requiring a move to a different location or return to location on a different day.

Blum: I don't think we have to say that.

Varah: Prevents or interferes with

The Commissioners agree.

Blum: And I would include in that construction noise, traffic conditions or other obstacles which prevent recording sound.

Stiker: Those might be two different things.

Robbins: I think they are two different things.

Varah: We have next on there is unexpected construction, traffic conditions, or other obstacles requiring a move to a different location.

Saritzky: they could be an obstruction to sound or actual filming.

Varah: I think between the both of them, you've got that covered pretty well.

- Selected location cancels selected and or delays agreement at the last minute
- Just deleting the "requiring production company to move."

The Commissioners agree.

Varah: selected locations delays signing location agreement. Actually those are combined. Okay the next two are combined to creative decisions that change the planned activity. The planned filming activity right?

Commission: Yes

Varah: Key prop is delayed. Prop can be a one of a kind product not yet in production therefore shooting cannot take place without it. And then there's a parenthetical for car commercials, picture car availability can be unexpectedly delayed due to weather and/or customs

Stiker: Do you feel like we need to have that example in there that specific example.

Robbins: Personally, I think that the more you can explain things to them. Because I don't think that they can understand. Like even some of the cars that are used for these commercials are being finalized right at the time of the shoot and it's delivered. I think that unless you are in the business, you'd have no idea. So for me, spelling it out to them, I think can be helpful.

Varah: Key talent changes their schedule at the last minute. In some cases it can be the Governor or other dignitary. Production has to change locations due to visiting dignitaries such as the president which prohibits the production from working at selected location.

Legal issues raised by any party associated with the shoot (contractual issues requiring sign off can arise at the last minute regarding legal ownership of copyrights of signs, buildings, trademarks, etc. Often times, the final legal permission from ownership can be delayed or denied at the last minute).

Did you want to keep the parenthetical?

Bradley-Tyson: do we want to keep that one at all?

Robbins: I think that's important because again, I don't think that the board can understand that someone might have a billboard in the back view of someone shooting and if they don't get the sign off on that then they can't do that shoot and it can change everything at the last minute.

Bradley-Tyson: I wasn't referring to that; it was the key talent changes their schedule at the last minute.

Johnston: I think we need to keep it in there because that was called out specifically in the hearing. The supervisor was particularly disdainful of the idea that key talent would be an actor who we were accommodating, but it's a reminder that sometimes it's the Governor shooting a public service announcement is a salient example.

The Commissioners agree.

Varah: I think that's our list.

The Commissioners all thank Deputy City Attorney Adine Varah.

Bradley-Tyson: Is there any additional public comment?

Frank: The few times that I've been in that situation when there was less than 72 hours whether it was Susannah or recently it occurred in Sausalito. What Susannah has done in the past and what they did in Sausalito was they said okay frank if you want to shoot that soon, you have to go to every resident and business owner, have them sign off on a document that it's okay to shoot in front of their business or their house on that given day and time. And in the case of Sausalito it was over 100 businesses and residences. And the good news is there was only one gentleman in a corner deli had a tiny bit of an issue and it turns out later he has issue with everybody. But everybody signed off on it and was happy. We made everybody we could extras on the street and it all worked out quite well. That's been my experience.

Bradley-Tyson: So to that point, do we need language that speaks to that?

Robbins: Let's leave it as is.

Bradley-Tyson: Thank you for that comment, Frank. Can I ask for a motion to approve the draft film notifications guidelines as articulated by Adine?

Johnston makes a motion to pass the film notification guidelines and Stiker seconds the motion. Bradley-Tyson asks for more commissioner or public comment and there was none. Bradley-Tyson calls for a vote. All say "aye."

Johnston post-vote comment: I think we as film commissioners are the choir so on this one it's preaching to the choir to a certain extent. We're going to be defending and we do defend and we have what the sup both this and other conflicts between cranky neighbors and film productions. And as with this one it can be touch and go

whether we're going to win those. We all read in the press the big fight in Russian Hill and some of us get phone calls so we need to just as the community comes together around the tax credits for example, we need to regularly band together to make sure sups don't lose sight of the work in local people that need this industry to be supported. And the message coming from Susannah and I fell on cold ears one day. Fortunately, we had our Commission President weigh in on this which was a little more persuasive. But we need to be cognoscente of that. We need to let you guys know when we need you for one thing or/for when proposals that would be detrimental to the production work are out there because I imagine you're not scanning board agendas day in and day out. But the Supervisors need to hear from us, not just their neighbors they represent because they listen to those neighbors.

Robbins: I also would like to add that I want to thank everybody in the production community who did make phone calls regarding this legislation because that had a really big impact on the decision to reinsert the "when feasible" language. Thank you.

Kathleen: Thank you very much for the vote and further to what you were saying, I think it's important that we all respect each other in the city and I think that right now this is the best thing that could have happened because it shows the community responding to what you're going through and I would like to just suggest that you have the director's guild of America, the producer's guild of America, we're always here. I represent both of them in this particular conversation so we'll always step up and if I can't be there, somebody else will be there. We'll always be here. Thank you.

President Bradley-Tyson asks if there are any additional Commissioner comments and there were none.

**GENERAL PUBLIC COMMENT (DISCUSSION ONLY)**

President Bradley-Tyson asks if there are any additional public comments and there were none.

**ADJOURNMENT (ACTION ITEM)**

President Bradley-Tyson asks for a motion to adjourn the meeting and the meeting was adjourned at 3:20 pm.