

File No. 160359

Committee Item No. 5

Board Item No. 4

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date April 28, 2016

Board of Supervisors Meeting

Date May 17, 2016

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form (for hearings) |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
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Completed by: Derek Evans Date April 22, 2016

Completed by: Derek Evans Date May 3, 2016

1 [Administrative Code - Establishing Municipal Fines and Fees Task Force]

2
3 **Ordinance amending the Administrative Code to establish the Municipal Fines and**
4 **Fees Task Force to advise the Board of Supervisors, the Mayor, and City departments**
5 **regarding policies that reduce fines and fees for low-income City residents; and setting**
6 **forth the membership and duties of the Task Force.**

7
8 **NOTE: Unchanged Code text and uncodified text** are in plain Arial font.
9 **Additions to Codes** are in *single-underline italics Times New Roman font*.
10 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
11 **Board amendment additions** are in double-underlined Arial font.
12 **Board amendment deletions** are in ~~strikethrough Arial font~~.
13 **Asterisks (* * * *)** indicate the omission of unchanged Code
14 subsections or parts of tables.

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

16 The Administrative Code is hereby amended by adding Article XXX, Sections 5.30-1
17 through 5.30-6, to Chapter 5, to read as follows:

18 **ARTICLE XXX:**

19 **MUNICIPAL FINES AND FEES TASK FORCE**

20 Sec. 5.30-1. Creation of Task Force.

21 Sec. 5.30-2. Membership.

22 Sec. 5.30-3. Organization and Terms of Office.

23 Sec. 5.30-4. Powers and Duties.

24 Sec. 5.30-5. Meetings and Procedures.

25 Sec. 5.30-6. Sunset.

1 **SEC. 5.30-1. CREATION OF TASK FORCE.**

2 The Board of Supervisors hereby establishes the Municipal Fines and Fees Task Force (the
3 “Task Force”) of the City and County of San Francisco.

4
5 **SEC. 5.30-2. MEMBERSHIP.**

6 The Task Force shall consist of the following ~~nine~~eleven voting members.

7 (a) Seat 1 shall be held by an employee of the Treasurer-Tax Collector’s Office,
8 appointed by the Treasurer-Tax Collector.

9 (b) Seat ~~4~~2 shall be held by an employee in the Office of Economic and Workforce
10 Development, appointed by the Director of that department.

11 (~~b~~c) Seat ~~2~~3 shall be held by an employee of the Human Services Agency, appointed by the
12 Director of that department.

13 (~~d~~e) Seat ~~3~~4 shall be held by an employee of the Public Defender’s Office, appointed by the
14 Public Defender.

15 (~~e~~f) Seat ~~4~~5 shall be held by an employee of the District Attorney’s Office, appointed by the
16 District Attorney.

17 (~~f~~g) Seat ~~5~~6 shall be held by an employee of the Municipal Transportation Agency,
18 appointed by the Director of Transportation.

19 (~~g~~h) Seat ~~6~~7 shall be held by an employee of the San Francisco Superior Court, appointed by
20 the Presiding Judge. If at any time the Presiding Judge declines to appoint a member and leaves the
21 seat vacant for 60 days or longer, the Board of Supervisors may appoint a member of the public to fill
22 the seat until such time as the Presiding Judge appoints a member.

23 (~~h~~i) Seats ~~7~~8 through ~~9~~11 shall be held by persons with lived experience as, or experience
24 providing services or assistance to, low-income people regarding court-ordered debt, suspended
25 driver’s licenses, or payment of municipal fines or fees, appointed by the Board of Supervisors.

1 **SEC. 5.30-3. ORGANIZATION AND TERMS OF OFFICE.**

2 (a) Members of the Task Force shall serve at the pleasure of their appointing authorities
3 and may be removed by the appointing authorities at any time. Each member may remain on the Task
4 Force until the termination of the Task Force under Section 5.30-6, unless removed by his or her
5 appointing authority. A seat that is vacant on the Task Force shall be filled by the appointing authority
6 for that seat.

7 (b) Service on the Task Force shall be voluntary and members shall receive no
8 compensation from the City, except that the members in Seats 1 through 56 may receive their regular
9 City salaries for time spent on the Task Force.

10 (c) Any member who misses three regular meetings of the Task Force within a six-month
11 period without the express approval of the Task Force at or before each missed meeting shall be
12 deemed to have resigned from the Task Force 10 days after the third unapproved absence. The Task
13 Force shall inform the appointing authority of any such resignation.

14 (d) The Office of Economic and Workforce Development Treasurer-Tax Collector
15 shall provide administrative support for the Task Force. The Budget and Legislative Analyst, as well
16 as City agencies with relevant specialized knowledge or experience, shall provide research and policy
17 support for the Task Force upon request. All City officials and agencies shall cooperate with the Task
18 Force in the performance of its functions.

19
20 **SEC. 5.30-4. POWERS AND DUTIES.**

21 (a) The general purpose of the Task Force is to provide advice to the Board of Supervisors,
22 the Mayor, and City departments regarding the financial and criminal impacts on low-income San
23 Franciscans of municipal fines and fees, court-ordered debt, suspended driver's licenses, and
24 collection policies and practices related to these fines and fees, and regarding potential policies that
25 could mitigate those impacts.

1 **(b) No later than six months after its inaugural meeting, the Task Force shall submit to the**
2 **Board of Supervisors a report evaluating and recommending policy options to (1) reduce municipal**
3 **finances and fees for low-income people, (2) reduce the rate at which low-income people are cited for**
4 **municipal violations, (3) offer debt relief for low-income people facing significant debt arising from**
5 **municipal fines, fees, and court-ordered debt, and (3) implement the Statewide Traffic**
6 **Tickets/Infraction Amnesty Program based on California Vehicle Code Section 42008.8. After the**
7 **initial report, the Task Force may, in its discretion or upon request of the Board of Supervisors or**
8 **Mayor, provide additional reports addressing the same topics to the Board of Supervisors, the Mayor,**
9 **or City departments.**

10
11 **SEC. 5.30-5. MEETINGS AND PROCEDURES.**

12 **(a) The Task Force shall hold its inaugural meeting not more than 45 days after the**
13 **effective date of the ordinance in Board File No. 160359 enacting this Article XXX. There shall be at**
14 **least 10 days' notice of the inaugural meeting. Following the inaugural meeting, the Task Force shall**
15 **hold a regular meeting not less than once each month until the sunset date set forth in Section 5.30-6.**

16 **(b) The Task Force shall elect its officers and may establish bylaws and rules for its**
17 **organization and procedures.**

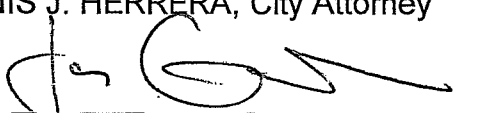
18
19 **SEC. 5.30-6. SUNSET.**

20 **Unless the Board of Supervisors by ordinance extends the term of the Task Force, this Article**
21 **XXX shall expire by operation of law, and the Task Force shall terminate, two years after the effective**
22 **date of the ordinance in Board File No. 160359 enacting this Article. After that date, the City Attorney**
23 **shall cause this Article XXX to be removed from the Administrative Code.**

1 Section 2. Effective Date. This ordinance shall become effective 30 days after
2 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
3 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
4 of Supervisors overrides the Mayor's veto of the ordinance.

5
6 APPROVED AS TO FORM:
7 DENNIS J. HERRERA, City Attorney

8 By:



9 JON GIVNER
Deputy City Attorney

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LEGISLATIVE DIGEST
(Amended in Committee - 4/28/16)

[Administrative Code - Establishing Municipal Fines and Fees Task Force]

Ordinance amending the Administrative Code to establish the Municipal Fines and Fees Task Force to advise the Board of Supervisors, the Mayor, and City departments regarding policies that reduce fines and fees for low-income City residents; and setting forth the membership and duties of the Task Force.

Existing Law

The City currently has no advisory body that makes recommendations to the Board of Supervisors, the Mayor, or City departments regarding policies to reduce fines and fees for low-income City residents.

Amendments to Current Law

The proposed ordinance would create a Municipal Fines and Fees Task Force to advise the Board of Supervisors, the Mayor, and other City departments on potential policies that could mitigate the financial impacts on low-income San Franciscans of municipal fines and fees, court-ordered debt, suspended driver's licenses, and payment of municipal fines or fees..

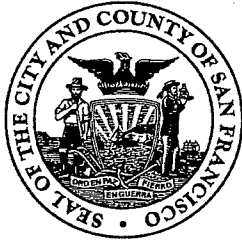
The Task Force would terminate two years after the effective date of the ordinance unless the Board re-authorizes it in a subsequent ordinance. Six months after its inaugural meeting, the Task Force would submit to the Board of Supervisors a report evaluating and recommending policy options to (1) reduce municipal fines and fees for low-income people, (2) reduce the rate at which low-income people are cited for municipal violations, (3) offer debt relief for low-income people facing significant debt arising from municipal fines, fees, and court-ordered debt, and (3) implement the Statewide Traffic Tickets/Infraction Amnesty Program.

The Task Force would have eleven members, including employees of the Treasurer-Tax Collector, Office of Economic and Workforce Development, Human Services Agency, Public Defender's Office, District Attorney's Office, Municipal Transportation Agency, and the San Francisco Superior Court, and four people appointed by the Board of Supervisors with lived experience or experience providing services or assistance to low-income people regarding court-ordered debt, suspended driver's licenses, or payment of municipal fines or fees.

Background Information

On April 28, 2016, the Rules Committee amended the proposed ordinance to expand the Task Force from nine to eleven members and to provide that the Treasurer-Tax Collector will provide administrative support for the Task Force.

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Nicole Elliot, Mayor's Office
Todd Rufo, Director, Office of Economic and Workforce Development
Harvey Rose, Budget and Legislative Analyst
Trent Rhorer, Executive Director, Human Services Agency
Jeff Adachi, Public Defender
George Gascon, District Attorney
Ed Reiskin, Executive Director, Municipal Transportation Agency

FROM: Derek Evans, Clerk, Rules Committee
Board of Supervisors

DATE: April 22, 2016

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee has received the following legislation, introduced by Supervisor Avalos on April 12, 2016. This matter is being referred to you for informational purposes since it affects your department.

File No. 160359

Ordinance amending the Administrative Code to establish the Municipal Fines and Fees Task Force to advise the Board of Supervisors, the Mayor, and City departments regarding policies that reduce fines and fees for low-income City residents; and setting forth the membership and duties of the Task Force.

If you wish to submit any reports or documentation to be considered with the legislation, please send those to me at the Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

c: Ken Rich, Office of Economic and Workforce Development
Lisa Pagan, Office of Economic and Workforce Development
Louise Rainey, Human Services Commission
Cristine Soto DeBerry, District Attorney's Office
Maxwell Szabo, District Attorney's Office
Janet Martinsen, Municipal Transportation Agency
Kate Breen, Municipal Transportation Agency
Dillon Auyoung, Municipal Transportation Agency

Bos-11, COB,
Leg Rep, Deputy City
Rules

President, District 5
BOARD of SUPERVISORS



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Tel. No. 554-7450
Fax No. 554-7454
TDD/TTY No. 544-5227

London Breed

PRESIDENTIAL ACTION

Date: April 15, 2016
To: Angela Calvillo, Clerk of the Board of Supervisors

Madam Clerk,
Pursuant to Board Rules, I am hereby:

Waiving 30-Day Rule (Board Rule No. 3.23)
File No. 160359
(Primary Sponsor)
Title: Administrative Code - Establishing Municipal

Transferring (Board Rule No. 3.3)
File No. _____
(Primary Sponsor)
Title: _____

From: _____ Committee
To: _____ Committee

Assigning Temporary Committee Appointment (Board Rule No. 3.1)
Supervisor _____
Replacing Supervisor _____
For: _____ Meeting
(Date) (Committee)

RECEIVED
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2016 APR 15 AM 11:18
BY: [Signature]

London Breed

London Breed, President
Board of Supervisors

Received in Board
4/12/16 - BS
Time stamp
or meeting date

Introduction Form

By a Member of the Board of Supervisors or the Mayor

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

Supervisors Avalos, Kim

Subject:

Ordinance - Administrative Code - Establishing Municipal Fines and Fees Task Force

The text is listed below or attached:

[]

Signature of Sponsoring Supervisor:

For Clerk's Use Only: