

File No. 160633

Committee Item No. 5

Board Item No. 13

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Committee

Date June 17, 2016

Board of Supervisors Meeting

Date July 19, 2016

Cmte Board

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Completed by: Linda Wong Date June 10, 2016
Completed by: Linda Wong Date 7/6/16

1 [Administrative Code - Establishing District Attorney Neighborhood Justice Fund]

2
3 **Ordinance amending the Administrative Code to establish the District Attorney**
4 **Neighborhood Justice Fund (Justice Fund) and abolish the Mayor's Community**
5 **Support Fund (Support Fund), authorize the District Attorney to establish guidelines for**
6 **disbursement of monies in the Justice Fund and permit the District Attorney to**
7 **disburse monies from the Justice Fund consistent with those guidelines, rename the**
8 **Community Courts Program the Neighborhood Courts Program and direct that all**
9 **penalties and fines collected from participants in that program previously deposited in**
10 **the Support Fund be deposited in the Justice Fund, and designate the District Attorney**
11 **as administrator of the San Francisco Dispute Resolution Program Fund.**

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

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

20 Section 1. The Administrative Code is hereby amended by renumbering and revising
21 Section 10.100-95, to read as follows:

22 **SEC. 10.100-95-58. MAYOR'S COMMUNITY SUPPORT DISTRICT ATTORNEY**
NEIGHBORHOOD JUSTICE FUND.

23 (a) Establishment of Fund. The *Mayor's Community Support District Attorney*
24 *Neighborhood Justice* Fund is established as a category eight fund to receive all *penalties and*
25 *fines community restitution payments* collected from participants in the *Community Neighborhood*

1 Courts Program, as established in Section 10.100-295, to resolve eligible misdemeanor offenses
2 ~~disputes or dismiss charges. A separate account shall be established for each Community Court~~
3 ~~established or to be established. All penalties and fines community restitution payments~~ collected from
4 participants in the Community Neighborhood Courts Program to resolve ~~incidents or dismiss~~
5 ~~charges~~ eligible misdemeanor offenses shall be deposited into the Mayor's Community Support
6 District Attorney Neighborhood Justice Fund account ~~for the community in which the dispute~~
7 ~~occurred. In the event that the community in which the incident occurred does not have an account,~~
8 ~~those fines or penalties collected shall be deposited into a City wide account in the Mayor's Community~~
9 ~~Support Fund. Monies previously being held in the Mayor's Community Support Fund account~~
10 ~~Mayor's Community Court Funds shall be deposited in the respective Mayor's Community Support~~
11 District Attorney Neighborhood Justice Fund account.

12 (b) Use of Funds. The City District Attorney shall expend the ~~moneys~~ monies in the
13 Mayor's Community Support District Attorney Neighborhood Justice Fund to enhance the safety,
14 livability, and cohesion of San Francisco's neighborhoods support community enrichment projects in
15 the community served by the respective account. The Director of the Mayor's Office of Criminal
16 Justice, in consultation with the Police Chief, District Attorney, the Chief Executive Officer of the
17 Superior Courts, and the Controller, shall establish guidelines for the disbursement of ~~moneys~~
18 monies consistent with these purposes. No cost that may be incurred by any City department
19 in administering these ~~moneys~~ monies shall be recovered therefrom.

20 (c) Exceptions to Fund Category. The District Attorney Director of the Mayor's Office of
21 Criminal Justice, in consultation with appropriate City agencies and community representatives, may
22 disburse ~~moneys~~ monies consistent with the guidelines referenced in subsection (b), provided that
23 any single expenditure in excess of \$5,000 may not be disbursed without prior approval of the
24 Board of Supervisors.

1 Section 2. The Administrative Code is hereby amended by revising Section 10.100-
2 295, to read as follows:

3 **SEC. 10.100-295. SAN FRANCISCO DISPUTE RESOLUTION PROGRAM FUND.**

4 (a) Purpose of Fund. The City recognizes and acknowledges that there is a need for
5 the encouragement and support of the development and use of alternate dispute resolution
6 techniques designed to facilitate the informal resolution of disputes among members of the
7 community. To this end, the City wishes, pursuant to State law, to establish a program of
8 grants to public entities and nonpartisan nonprofit corporations for the establishment and
9 continuance of informal dispute resolution programs pursuant to the State Dispute Resolution
10 Programs (Chapter 8 [commencing with Section 465], Division 1 of the *California* Business
11 and Professions Code) operated under standards developed by the State Dispute Resolution
12 Advisory Council of the Department of Consumer Affairs.

13 (b) Establishment of Fund. The San Francisco Dispute Resolution Program Fund is
14 established as a category four fund for the purpose of receiving all monies received and
15 collected by the City and County pursuant to the State-enacted Dispute Resolution Programs.
16 This fund will be administered by the Controller. The City may accept and deposit into this
17 special fund funds from any public or private source, including increased civil action filing fees
18 authorized by the Board of Supervisors in accordance with the State Dispute ~~R~~Resolution
19 Program, as set forth under *California* Business and Professions Code Chapter 8, Division 1
20 (commencing with Section 465), for the purposes of facilitating the Dispute Resolution
21 Program.

22 (c) Use of Fund. The disbursement of any monies from this fund shall be made only in a
23 manner consistent with the State Dispute Resolution Program. The Board of Supervisors
24 hereby authorizes payment to the General Fund of the City from the Dispute Resolution
25

1 Program Fund of an amount not to exceed 10 percent of the total amount of said fund ~~for~~ for
2 any necessary and reasonable administrative costs incurred in connection therewith.

3 (d) Administration of Fund. The ~~Mayor's Office of Criminal Justice~~ District Attorney is
4 hereby designated as administrator of the Dispute Resolution Program Fund and shall be
5 responsible for the establishment and management of a program to distribute grants to public
6 entities and nonpartisan, nonprofit agencies in the City and County of San Francisco,
7 pursuant to the standards set forth in the Dispute Resolution Program Act: Funding and
8 Operating Guidelines, in addition to other requirements specified under provisions of State
9 law.

10 The ~~Mayor's Office of Criminal Justice~~ District Attorney shall establish criteria for grant
11 awards that give preference to community-based nonprofit conflict resolution programs and
12 distribute grants on a balanced basis to ensure the greatest possible access to dispute
13 resolution programs and services. The City and County of San Francisco shall uphold the
14 legislative intent of Chapter 8, Division 1, Section 465.5 of the California Business and
15 Professions Code, to the extent practicable, and utilize local resources that are reflective of
16 the diversity of the community.

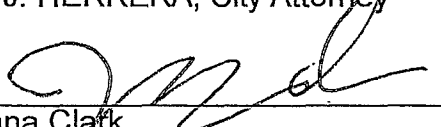
17 (e) Community Neighborhood Courts Program. The ~~Mayor's Office of Criminal Justice, in~~
18 ~~partnership with the~~ District Attorney, shall establish and maintain a Community Neighborhood
19 Courts Program as part of the Dispute Resolution Program. The Community Neighborhood
20 Courts Program may handle cases occurring in their respective communities that are referred
21 to them by the District Attorney, San Francisco Police Department, or other participating
22 agencies. Consistent with state and local law, in ~~settling disputes or~~ resolving cases, the
23 Community Neighborhood Courts may require participants to perform community service or pay
24 monies into the ~~Mayor's Community Support~~ District Attorney Neighborhood Justice Fund, as
25 established in Administrative Code Section 10.100-9558.

1 Section 3. 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 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
6 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
7 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
8 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
9 additions, and Board amendment deletions in accordance with the "Note" that appears under
10 the official title of the ordinance.

11
12 APPROVED AS TO FORM:
13 DENNIS J. HERRERA, City Attorney

14 By:


15 Jana Clark
16 Deputy City Attorney
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24
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LEGISLATIVE DIGEST

[Administrative Code - Establishing District Attorney Neighborhood Justice Fund]

Ordinance amending the Administrative Code to establish the District Attorney Neighborhood Justice Fund (Justice Fund) and abolish the Mayor's Community Support Fund (Support Fund), authorize the District Attorney to establish guidelines for disbursement of monies in the Justice Fund and permit the District Attorney to disburse monies from the Justice Fund consistent with those guidelines, rename the Community Courts Program the Neighborhood Courts Program and direct that all penalties and fines collected from participants in that program previously deposited in the Support Fund be deposited in the Justice Fund, and designate the District Attorney as administrator of the San Francisco Dispute Resolution Program Fund.

Existing Law

Existing law established the Mayor's Community Support Fund to receive all penalties and fines collected from participants in the Community Courts Program, established to resolve eligible misdemeanor offenses, and permitted the City to expend those funds to support community enrichment projects.

Amendments to Current Law

These amendments would establish the District Attorney Neighborhood Justice Fund, abolish the Mayor's Community Support Fund, authorize the District Attorney to establish guidelines for disbursement of monies in the Justice Fund and permit the District Attorney to disburse monies from the Justice Fund consistent with those guidelines, rename the Community Courts Program the Neighborhood Courts Program and direct that all penalties and fines collected from participants in that program previously deposited in the Support Fund be deposited in the Justice Fund, and designate the District Attorney as administrator of the San Francisco Dispute Resolution Program Fund.

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OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Mayor Edwin M. Lee *mu*
RE: Administrative Code - Establishing District Attorney Neighborhood Justice Fund
DATE: May 31, 2016

Attached for introduction to the Board of Supervisors is an ordinance amending the Administrative Code to establish the District Attorney Neighborhood Justice Fund (Justice Fund) and abolish the Mayor's Community Support Fund (Support Fund), authorize the District Attorney to establish guidelines for disbursement of monies in the Justice Fund and permit the District Attorney to disburse monies from the Justice Fund consistent with those guidelines, rename the Community Courts Program the Neighborhood Courts Program and direct that all penalties and fines collected from participants in that program previously deposited in the Support Fund be deposited in the Justice Fund, and designate the District Attorney as administrator of the San Francisco Dispute Resolution Program Fund.

I respectfully request a waiver of the 30-day hold and that this item be calendared in Budget & Finance Committee on June 17, 2016.

Should you have any questions, please contact Nicole Elliott (415) 554-7940.

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BOARD OF SUPERVISORS
SAN FRANCISCO
2016 MAY 31 PM 1:28
BY *[Signature]*