

File No. 220685

Committee Item No. 6

Board Item No. 21

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget and Appropriations Committee Date June 15, 2022

Board of Supervisors Meeting Date July 12, 2022

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER (Use back side if additional space is needed)

- Presidential Action Memo – 30-Day Waiver 6/6/2022
- _____
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Completed by: Brent Jalipa Date June 10, 2022

Completed by: Brent Jalipa Date June 27, 2022

1 [Trial Courts Courthouse Construction Fund - Rescission of Superior Court Surcharges for
2 Court Construction]

3 **Ordinance rescinding the \$50 surcharge on civil, family, or probate filings in San**
4 **Francisco Superior Court under Board Resolution No. 714-92 that the City previously**
5 **collected to support the acquisition, rehabilitation, construction, and financing of**
6 **courtrooms or courtroom buildings.**

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 Section 1. Background.

17 California Government Code Sections 76100 and 70625 authorize the Board of
18 Supervisors (the "Board") to establish a Courthouse Construction Fund for the purpose of
19 assisting the City and County of San Francisco (the "City") in the acquisition, rehabilitation,
20 construction, and financing of courtrooms or courtroom buildings containing facilities
21 necessary for or incidental to the operation of the justice system, and require the City to place
22 certain surcharges on court filing fees and court-imposed fines, penalties, and forfeitures into
23 the Fund.

24 In compliance with an earlier iteration of the California Government Code, the Board
25 established the Courthouse Temporary Construction Fund and authorized the collection of
specified payments to be placed into that fund. In 1992, following a change in State law, the

1 Board adopted Resolution No. 714-92, which renamed the fund as the Courthouse
2 Construction Fund. Resolution No. 714-92 also authorized the imposition and collection of a
3 \$50 surcharge on filing fees in civil, family, or probate actions in Superior Court, and directed
4 that the revenues from that surcharge be deposited in the Courthouse Construction Fund. In
5 a separate resolution, Resolution No. 713-92, the Board authorized additional court-imposed
6 penalties, fines, and forfeitures to be deposited in the Fund. In Ordinance No. 316-00, the
7 Board again renamed the Fund as the Trial Courts Courthouse Construction Fund.

8 Under California Government Code Section 70402, any amount in the Fund must be
9 transferred to the State Court Facilities Construction Fund at the later of either (1) the date of
10 the last transfer of responsibility for court facilities from the City to the Judicial Council or
11 December 31, 2009, whichever is earlier; or (2) the date of the final payment of the bonded
12 indebtedness for any court facility that is paid from that fund is retired. The City's bond
13 indebtedness on the Civic Center Courthouse concluded on April 1, 2021, triggering the
14 requirement for the City to transfer any remaining monies in the Fund.

15 In Ordinance No. 68-22, the Board terminated the Trial Courts Courthouse
16 Construction Fund, and rescinded the additional penalties, fines, and forfeitures authorized by
17 Resolution No. 713-92 that had previously been collected and deposited in the Fund. The
18 ordinance did not terminate the \$50 surcharge authorized by Resolution No. 714-92, however.

19

20 Section 2. Rescission of Surcharge.

21 The \$50 surcharge established in Resolution No. 714-92 and authorized by California
22 Government Code Section 70625 is hereby rescinded.

23

24 Section 3. Effective Date. This ordinance shall become effective 30 days after
25 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the

1 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
2 of Supervisors overrides the Mayor's veto of the ordinance.

3

4 Section 4. The Clerk of the Board of Supervisors is directed to (a) file a copy of this
5 ordinance in the Board file for Resolution No. 714-92, and (b) provide a copy of this ordinance
6 to the Controller to transmit to the Superior Court.

7

8 APPROVED AS TO FORM:
9 DAVID CHIU, City Attorney

9

10 By: /s/ _____
11 JON GIVNER
12 Deputy City Attorney

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LEGISLATIVE DIGEST

[Trial Courts Courthouse Construction Fund - Rescission of Superior Court Surcharges for Court Construction]

Ordinance rescinding the \$50 surcharge on civil, family, or probate filings in San Francisco Superior Court under Board Resolution No. 714-92 that the City previously collected to support the acquisition, rehabilitation, construction, and financing of courtrooms or courtroom buildings.

Existing Law

State law authorizes the City to establish a courthouse construction fund for the purpose of assisting in the acquisition, rehabilitation, construction, and financing of courtrooms or courtroom buildings. State law requires the City to place certain surcharges on court filing fees and court-imposed fines, penalties, and forfeitures into the courthouse construction fund. Implementing this State law, the Board of Supervisors established the Trial Courts Courthouse Construction Fund (the "Fund").

In 1992, the Board adopted Resolution No. 714-92, which authorized the imposition and collection of a \$50 surcharge on filing fees in civil, family, or probate actions in Superior Court, and directed that the revenues from that surcharge be deposited in the Fund.

Under State law, any amount remaining in the Fund must be transferred to the State after the final payment of the bonded indebtedness for any court facility that is paid from the Fund. The City's bond indebtedness on the Civic Center Courthouse concluded on April 1, 2021, triggering the requirement for the City to transfer any remaining monies in the Fund. In Ordinance No. 68-22, the Board terminated the Fund because no money remained in the Fund. The ordinance did not terminate the \$50 surcharge authorized by Resolution No. 714-92, however.

Amendments to Current Law

The proposed ordinance would rescind the \$50 surcharge on filing fees in civil, family, or probate actions in Superior Court, established in Resolution No. 714-92.

OFFICE OF THE MAYOR
SAN FRANCISCO



RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
JUN -1 PM 1:20

LONDON N. BREED
MAYOR

TO: President Shamann Walton, President of the Board of Supervisors
FROM: Ashley Groffenberger, Mayor's Budget Director
DATE: June 1, 2022
RE: 30-Day Waiver Requests

President Walton,

The Mayor's Office respectfully requests 30-day hold waivers for the following pieces of trailing legislation:

- Police Code - Fixed Place Outdoor Amplified Sound Permit and License Fees
- Agreement Amendment – Francisco Park Agreement
- Accept and Expend Grants - Recurring State Grant Funds - Department of Public Health – FY 2022-2023
- Administrative Code - Deputy Fire Chiefs
- Retroactive Accept and Expend Grant - State of California - #CaliforniansForAll Youth Jobs Corps Program Grant - Up to \$11,790,072
- Office of Community Investment and Infrastructure, operating as Successor Agency to the San Francisco Redevelopment Agency, Fiscal Year 2022-23 Budget – Bond Issuance Not to Exceed \$99,680,000
- Office of Community Investment and Infrastructure, operating as Successor Agency to the San Francisco Redevelopment Agency, Fiscal Year 2022-23 Interim Budget
- Homelessness and Supportive Housing Fund - FYs 2022-2023 and 2023-2024 Expenditure Plan
- Administrative Code - Reproduction and Notary Fees - Department of Administrative Services
- Administrative Code - Police Vehicle Theft Crime Fund Surcharge
- Resolution Adjusting the Access Line Tax with the Consumer Price Index of 2022
- Neighborhood Beautification and Graffiti Clean-up Fund Tax Designation Ceiling
- Ordinance Authorizing Tax-Exempt and/or Taxable Certificates of Participation (Multiple Capital Improvement Projects) - Not to Exceed \$140,000,000
- Business and Tax Regulations, Health Codes - Emergency Medical Services Fees
- Trial Courts Courthouse Construction Fund - Rescission of Superior Court Surcharges for Court Construction
- Health Code - Patient Rates for Fiscal Years 2022-2023 and 2023-2024
- Park Code - Marina West Harbor Fees

Should you have any questions, please contact Tom Paulino at 415-554-6153.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Groffenberger', followed by a long horizontal line extending to the right.

Ashley Groffenberger
Mayor's Budget Director



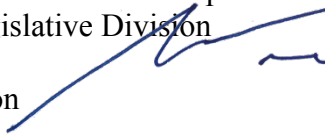
President, Board of Supervisors
District 10

City and County of San
Francisco

SHAMANN WALTON
MEMORANDUM

DATE: June 6, 2022

TO: Angela Calvillo, Clerk of the Board of Supervisors
Board of Supervisors Legislative Division

FROM: President Shamann Walton 

CC: Anne Pearson, Deputy City Attorney
Tom Paulino, Mayor's Office

SUBJECT: **30-Day Waivers Granted for Budget Related Items**

Dear Madam Clerk and Legislative Division Staff,

I am hereby granting the 30-day waiver request for the following Budget related items introduced and requested by the Mayor on June 1, 2022:

- 220666 Proposed Interim Budget and Appropriation Ordinance for Departments - FYs 2022-2023 and 2023-2024
- 220667 Proposed Interim Annual Salary Ordinance - FYs 2022-2023 and 2023-2024
- 220669 Budget and Appropriation Ordinance for Departments - FYs 2022-2023 and 2023-2024
- 220670 Annual Salary Ordinance - FYs 2022-2023 and 2023-2024
- 220678 Police Code - Fixed Place Outdoor Amplified Sound Permit and License Fees
- 220679 Administrative Code - Deputy Fire Chiefs
- 220680 Administrative Code - Police Vehicle Theft Crime Fund Surcharge
- 220681 Administrative Code - Reproduction and Notary Fees - Department of Administrative Services
- 220682 Neighborhood Beautification and Graffiti Clean-up Fund Tax Designation Ceiling
- 220683 Ordinance Authorizing Tax-Exempt and/or Taxable Certificates of Participation (Multiple Capital Improvement Projects) - Not to Exceed \$140,000,000
- 220684 Business and Tax Regulations, Health Codes - Emergency Medical Services Fees
- 220685 Trial Courts Courthouse Construction Fund - Rescission of Superior Court Surcharges for Court Construction
- 220686 Health Code - Patient Rates for Fiscal Years 2022-2023 and 2023-2024
- 220687 Park Code - Marina West Harbor Fees

| DEPT | Item | Description | Type of Legislation | File # |
|-------------|----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|---------------|
| ADM | Critical Repair/Recovery Stimulus COPs | Authorizes COPs to finance or refinance the capital plan in the budget. | Ordinance | |
| ADM | Entertainment Commission Fee Changes | Fee decrease for fixed speakers due to the Commission's "Just Add Music" initiative. | Ordinance | |
| ADM | Reproduction and Notary Fee Changes | Fee increase for a variety of printing and scanning services at the Permit Center. | Ordinance | |
| ADM | Prop J Continuation | Moscone Convention Center. | Resolution | |
| ADM | Prop J Continuation | Fleet security services. | Resolution | |
| ADM | Prop J Continuation | Real estate security services. | Resolution | |
| ADM | Prop J Continuation | Real estate custodial services. | Resolution | |
| BOS | Prop J Continuation | Budget Legislative Analyst (BLA). | Resolution | |
| CAT | Courthouse Construction Fund | The Board adopted an ordinance last year terminating the Fund, which was established in 1992, because the courthouse construction project is complete and fully financed. This ordinance completes the process. | Ordinance | |
| CON | Access Line Tax | Sets Access Line Tax. Revenues assumed in budget. | Resolution | |
| CON | Neighborhood Beautification Fund | Neighborhood Beautification Fund contribution levels assumed in budget. | Ordinance | |
| DEM | EMSA Fee Changes | Changing the fee structure for EMSA fees that are charged to hospitals. | Ordinance | |
| DPH | Recurring State Grants | Accept and expend for annual, recurring state grant funds. | Resolution | |
| DPH | Patient Rates | Amending the Health Code to set patient rates and rates for other services provided by the Department of Public Health. | Ordinance | |
| DPH | Prop J Continuation | Clinic security services. | Resolution | |
| DPW | Prop J Continuation | Security services. | Resolution | |
| FIR | Organizational Changes in the City's Administrative Code | Changing the City's Administrative Code to transition the Chief of EMS position up a Deputy Chief position. | Ordinance | |
| HRC | State Grant Acceptance | Acceptance of the state-funded California for All grant for the Opportunities for All program. | Resolution | |
| HSA | Prop J Continuation | Security services. | Resolution | |
| HSH | CAAP Legislation | Annual legislation for CAAP housing with funding from HSA. | Resolution | |
| HSH | Prop J Continuation | Security services. | Resolution | |
| MYR | Prop J Continuation | Security services. | Resolution | |

| | | | | |
|-----|--------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|------------|--|
| POL | Police Vehicle Theft Crime Fund Surcharge | Increasing the car registration surcharge. Funds will be used to deter, investigate, or prosecute vehicle theft crimes. | Ordinance | |
| REC | Marina Dredging Surcharge | Imposing a surcharge to license fees at Marina West Harbor to pay for necessary dredging at the Harbor. | Ordinance | |
| REC | Francisco Park Conservancy Grant Agreement | Credits the Francisco Park Conservancy to offset unanticipated project cost increases incurred due to PG&E requirements. | Resolution | |
| REG | Prop J Continuation | Assembly of vote by mail envelope services. | Resolution | |
| SHF | Prop J Continuation | Food services at county jails. | Resolution | |
| TIS | Prop J Continuation | Mainframe system support. | Resolution | |



TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Tom Paulino
RE: Trial Courts Courthouse Construction Fund - Rescission of Superior Court
Surcharges for Court Construction
DATE: June 1, 2022

Ordinance rescinding the \$50 surcharge on civil, family, or probate filings in San Francisco Superior Court under Board Resolution No. 714-92 that the City previously collected to support the acquisition, rehabilitation, construction, and financing of courtrooms or courtroom buildings.

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