

CITY OF SAN ANTONIO
INTERDEPARTMENTAL MEMORANDUM
DEPARTMENT OF COMMUNITY INITIATIVES

TO: Mayor and City Council
FROM: Dennis J. Campa, Director, Department of Community Initiatives
THROUGH: Terry M. Brechtel, City Manager
COPIES: Frances A. Gonzalez, Assistant to the City Manager; Finance Department; Office of Management and Budget; City Attorney's Office; Municipal Courts Department; Councilmember Bobby Perez, District 1; File
SUBJECT: AUTHORIZING ALLOCATION AND EXPENDITURE OF HUMAN DEVELOPMENT SERVICES FUNDS FROM VARIOUS COUNCIL DISTRICTS TO THE DEPARTMENT OF COMMUNITY INITIATIVES' TEEN COURT PROGRAM

DATE: February 13, 2003

SUMMARY AND RECOMMENDATIONS

This ordinance authorizes the allocation and expenditure of Human Development Services Funds in the amount of \$5,000 from District 1 and \$1,000 from District 9 to the Department of Community Initiatives' Teen Court Program, as requested by Councilmember Bobby Perez.

Staff recommends the approval of this ordinance.

BACKGROUND INFORMATION

On January 22, 2003, Councilmember Bobby Perez circulated a six-signature memo expressing his commitment to allocate \$5,000 to the Department of Community Initiatives to support the Teen Court Program. Furthermore, Councilmember Perez encouraged other Councilmembers to consider providing financial support for this program from their respective Human Development Services Fund (HDSF) accounts. Councilmember Carroll Schubert signed this six-signature memo and allocated \$1,000 from his HDSF account for this program

The Teen Court program is a new program, which was implemented in August 2002 and managed by the Department of Community Initiatives. The Teen Court model has spread rapidly across the United States as an accountability-based sanctioning program. There are approximately 860 youth court programs nationally operating in 46 states and the District of Columbia. Many benefits are associated with youth court programs. Youth courts offer communities a prevention and early intervention program that hold juvenile offenders accountable, educate youth in the community on the legal system and judicial process, and engage youth in their communities by providing a meaningful forum in which they can practice

and demonstrate newly developed competencies. The City's Leadership Development Program recommended the Department of Community Initiatives' Youth Services Division implement the Teen Court. The Teen Court concept was coordinated with the City Council's Municipal Court Committee, the Commission for Children and Families, the Greater San Antonio Crime Commission, Municipal Courts, City Attorney's Office and the Juvenile Crime Enforcement Coalition.

The Teen Court program serves first-time Class C misdemeanor offenders between the ages of 13-17. This Court is used as a sentencing option of the court and is not used to determine innocence or guilt. The youth appear before the Juvenile Judge at Municipal Court as required by Texas State Statute, enter a plea of guilty or *nolo contendere*, and at the discretion of the Judge, are offered the option of appearing before a Teen Court for sanctioning. The Judge refers cases strictly at his or her discretion covering a range of offenses including Minor in Possession of Alcohol or Tobacco, curfew violations and theft under \$50. Sentencing options include community service, life skills groups, theft groups, pregnancy prevention groups, victim impact activities, drug/alcohol classes and tobacco classes

Funding for the Teen Court Program for FY 2002-2003 is provided through the Juvenile Accountability Incentive Block Grant (JAIBG). Due to funding cutbacks by the Office of the Governor, Criminal Justice Division, the Teen Court Program's funding will cease at the end of the current grant period on July 31, 2003. The HDSF allocation will support general operations of the Teen Court program through the months of August and September 2003, while additional funding is being pursued to continue the program for Fiscal Year 2004.

Performance Measures	Projected 2002-2003	Year to Date as of 1/27/03*
No. of youth seen by Teen Court	160	52
No. of youth to complete Teen Court training	33	37
No. of teen court defendants to complete 4 hours with Teen Court as jurors	125	32
% of youth participating in a Teen Court proceeding following completion of training	90%	100%

* Teen Court commenced in August 2002.

POLICY ANALYSIS

The FY 2002 Adopted Budget established the City Council HDSF. Ordinance No. 96958, passed and approved on December 19, 2002, adopted the FY 2003 HDSF guidelines, which provided eligibility criteria and specific description on the types of organizations and investments that may receive HDSF. In addition to supporting senior initiatives, HDSF is used to support other human development service-related purposes including early childhood education, child care, youth development services, scholarship programs and training programs. Attachment A further describes the intent and purpose of the HDSF and specifies eligibility criteria for programs.

FISCAL IMPACT

This ordinance authorizes the expense of HDSF and has no additional General Fund impact. Councilmembers have committed the following amounts of HDSF to this action:

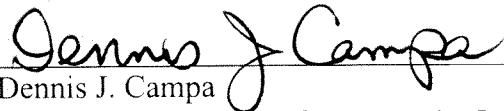
District 1 - \$5,000
District 9 - \$1,000
Total: \$6,000

COORDINATION

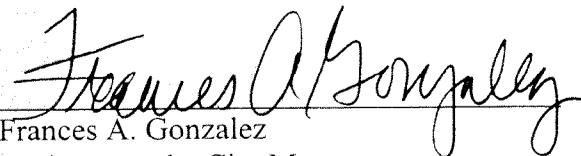
The Department of Community Initiatives has coordinated activities with Council District 1, Municipal Courts, City Attorney's Office, Office of Management and Budget, and the Finance Department.

SUPPLEMENTARY COMMENTS

Provision of the Ethics ordinance do not apply.



Dennis J. Campa
Director, Department of Community Initiatives



Frances A. Gonzalez
Assistant to the City Manager

Approved:



Terry M. Brechtel
City Manager

FY2003 Human Development Services Fund Guidelines

I. Background

The City Council Human Development Services Fund (HDSF) was originally established in FY2002 which included \$700,000.00. Funds previously budgeted in the Department of Community Initiatives (DCI) for City Council district senior services programs and One-Time Council Projects were consolidated into one category to form the HDSF.

II. Overview

The FY 2003 Adopted Budget continues the HDSF. Each City Council District received \$120,000.00 for FY 2003 plus all prior year(s) outstanding balances remaining in the HDSF account for each City Council District. Attachment "A" details the carry forward amount for FY 2002 HDSF for each City Council District. During FY 2003, Council Members will be provided balance updates on a monthly basis.

III. Public Purpose

1. All projects and services funded from HDSF must advance a municipal public purpose set forth herein, and be open to members of the public who meet eligibility requirements for the projects or services.
2. A primary objective of City to service providers is to provide funds allowing a supported service provider to leverage additional funding from other sources to accomplish the service provider's objectives consistent with the City Council's budget priorities.
3. Proposed services should be targeted at a clearly defined population and/or geographic area(s) and should address quantifiable participant outcomes compatible with priorities defined by the City Council.
4. City Council finds that a public purpose of the City is served by the disbursement of HDSF funds for the following expenditures:
 - A. Community recreation expenditures that include: program operations, sports and recreation events and equipment, office equipment, telecommunications and supplies supporting sports/recreation programs, kitchen equipment for the Comprehensive Nutrition Program sites, photo equipment and supplies for sports/recreations programs, vehicles, auto insurance and equipment supporting sports/recreation programs, award ceremonies and recognitions.
 - B. Education and training expenditures that include: educational events, educational equipment and supplies, vehicles and auto insurance supporting educational programs, program operations, scholarships for higher education to non-profit organizations and governmental entities, including promotion of high school completion and drop out prevention strategies for the youth of San Antonio, child care for parents attending training and child care quality improvement initiatives, after school programs, the City's

Summer Challenge Program, and sponsoring citizens of San Antonio to attend youth and leadership development conferences as representatives of the City of San Antonio.

- C. Neighborhood revitalization expenditures that include: graffiti abatement and neighborhood cleanup on public property or as part of official City program, and efforts that strengthen neighborhood involvement.
- D. Health and safety expenditures that include: emergency assistance for needy or in times of crisis, public health projects including sewer connection projects that are designated as a significant public health risk by the San Antonio Metropolitan Health District.
- E. Welfare expenditures that include: expenditures for direct childcare programs meeting the specific criteria set forth for match guidelines in the Childcare Development Block Grant at 45 CFR 98, 99 and Volunteer Income Tax Assistance (VITA) open and free to the public whereby an agency assists citizens in preparing and filing their income taxes and introduces and connects them to other financial security initiatives.

The municipal public purpose that is served by the award of such expenditures is to: 1) support community recreation to youth, elderly, low income and disabled persons, 2) provide education and training for the community 3) provide neighborhood revitalization for the community 4) promote the professional needs of the City, 5) prepare the workforce for productive employment 6) prevent homelessness 7) promote family, social and economic stability or 8) promote the health, safety and welfare of the community.

IV. Implementing Actions

1. For projects to be implemented by City staff through a City of San Antonio Department, direct expenditures will be made out of the appropriate City Council District's allocation.
2. For projects involving an outside service provider or organization, prior to the allocation of City funds, the service provider or organization will be required to execute a contract with the City, utilizing a form approved by the City Attorney, establishing the terms and conditions for expenditure of the funds.
3. The Director of the Department of Community Initiatives, or his designee, is authorized to expend monies from HDSF in accordance with these Guidelines and with the project selections made by each Council Member so long as the project amount is \$10,000.00 or less. The City Manager or her designee is authorized to expend monies from HDSF in accordance with these Guidelines and with the project selections made by each Council Member so long as the project amount is greater than \$10,000.00 and \$25,000.00 or less. Any contract/allocation proposed for the service provider in excess of \$25,000.00 must first be approved by City Council before award of the funds, execution of the contract or commencement of services.
4. Service Providers using HDSF for one-time events and/or purchases will be required to provide receipts or invoices to DCI staff prior to disbursement of funds. Delegate Agency contracts will operate on a cost reimbursement basis.

5. Service Providers must be in existence for one year or more to receive HDSF in excess of \$10,000.00 for the period October 1, 2002 through September 30, 2003. The service provider must have been in operation and providing the services for which funding is requested for a minimum of one year on the first day of January prior to the fiscal year which assistance from the City is requested (i.e. January 1, 2002 for FY 2003). HDSF allocated to service providers operating for less than one year cannot total more than 50% of the service providers total budget.
6. Each calendar quarter during the City's fiscal year, DCI shall report to the City Council and the City Managers Office all HDSF expenditures that have been made during that calendar quarter.

V. Project Selection Coordinating Actions

1. Awards to service providers and organizations will be coordinated and monitored by DCI with assistance provided by the Office of Management & Budget and the City Attorney's Office.
2. DCI will collect and maintain receipts and invoices for funds utilized for a one-time event or purchase. For on-going operating expenses, DCI will utilize the Delegate Agency monitoring process whereby service providers will be required to submit a statement of work and budget with DCI approval of these. DCI performs program or fiscal monitoring of all Delegate Agencies on a monthly basis.
3. Persons making requests of HDSF should complete a *City of San Antonio Request for Human Development Services Funds Form* (Attachment "B" and available for download on the City's website at www.sanantonio.gov/rfp) and submit this form to their Council District Office. City Council members may either provide a comprehensive list of projects to be funded with each district's Human Development Services Fund allocation or may inform staff of individual project selection throughout the fiscal year by forwarding the *City of San Antonio Request for Human Development Services Funds Form* and a memorandum from the Council Member authorizing the allocation to the Director of the Department of Community Initiatives authorizing the expenditure.

VI. Timeline for Contracts and Payment

- Week 1 DCI receives authorization from Council Member and determines whether the expenditure is allowable and the availability of funds.
- Week 2 City Attorney's Office drafts and approves contract. DCI staff enter the contract into ECMS database, contact agency and get contract signed by the service provider. (The service provider is required to sign a contract in a form prescribed by the City agreeing, among other things, to utilize the funds for the purpose stated in said contract and in compliance with these standards).
- Week 3 DCI staff reviews and City Attorney's Office approves the form of the contract.
- Week 4 DCI distributes copies of the contract and sends Request for Payment to Finance for one-time events and purchases. For service contracts, the Delegate Agency Contract

is on a cost-reimbursement basis, therefore, DCI will request an invoice from the service provider as back up documentation for the Request for Payment.

Finance Department prepares check and mails to the service provider.

Note: Cumulative purchases of any kind for the same program from any one service provider that exceeds \$25,000.00 will require Council action, which will add two more weeks to the timeline.

Timeline for internal City of San Antonio projects will be two weeks.

VII. Limitations

1. HDSF should be used to support a one-time program or service.
2. It is requested that Council Members make each allocation larger than \$500.00 due to the cost to the City of initiating a contractual relationship.
3. When a service provider requests funds to purchase equipment, the allocation shall cover the entire cost of the equipment.
4. When feasible, Council Members are encouraged to invest in services that have been competitively procured by the Department of Community Initiatives in its annual Delegate Agency Request for Proposal process.
5. If a Councilperson desires to seek HDSF funding from other Council Districts, for a particular project, he must submit a six signature memorandum for the matter to be placed on the City Council Agenda for consideration, and approval, whether or not the expenditure is collectively less than \$25,000.00.
6. Exceptions – HDSF may not be used for the following:
 - *Any sectarian or religious facility or activity*
 - *Services which are primarily commercial.*
 - *Programs devoted primarily to the political advocacy of special causes.*
 - *Permanent improvements to any non-city owned structure or property.*
 - *Expenditures for the primary benefit of an individual.*
 - *Services and/or product must not be subject to any proprietary interest.*
7. When disbursements are made to non-City of San Antonio departments and organizations, they should be made to a legal organization and not to an individual.
8. A Government entity may only request HDSF for projects for which it is not responsible to carry out under its own charter or mandates. HDSF should not be provided to other governmental entities for carrying out their functions except for joint projects where City programs are also involved. (Example: HDSF cannot be expended to purchase materials directly for a school district for student instruction during normal school hours).

VIII. Eligibility

The following eligibility criteria are applicable to all service providers that receive funding support from the HDSF:

The service provider must be a provider of services that principally address community needs of the people of the City of San Antonio.

1. Types of Entities

- A. Non-Profit Organizations must show proof of having filed as a not-for-profit corporation (tax exempt status as determined by the IRS under section 501(c)(3) of the Internal Revenue Code) or be an affiliate of a corporation having a not-for-profit charter elsewhere in Texas or in the United States. Additionally, the service provider must show proof of exemption from franchise taxes by the State Comptroller.
- B. Faith Based Organizations are any organizations that are religiously oriented, regardless of whether or not religious activities are their primary function. This can include houses of worship, congregations, private schools, hospitals, thrift stores, or any other organization whose mission is based on religious principles. All services, programs and events funded by HDSF and provided by faith-based organizations must be open to and used by the public.
- C. Neighborhood Association or other legally formed organization with its purpose defined as serving the community. The City may not contract with individuals for HDSF.
- D. Governmental Entity means a municipality, county, school district, or other political subdivision of the State of Texas.

Please contact Dennis Campa, Director of the Department of Community Initiatives, at 207-7209 or Louis A. Lendman, Director of Management & Budget, at 207-2049 should you have any questions regarding the Human Development Services Fund.

CITY OF SAN ANTONIO
OFFICE OF THE CITY COUNCIL
INTERDEPARTMENTAL CORRESPONDENCE

RECEIVED
CITY OF SAN ANTONIO
CITY CLERK
2003 JAN 23 PM 4:52

TO: Mayor and Council

FROM: **Bobby Perez, Councilman, District 1**

COPIES TO: City Manager; City Clerk; City Attorney; Director of Finance; Management & Budget Director; Assistant to the Mayor; Assistant to City Council; Director of Community Initiatives; Director of Municipal Court; File

SUBJECT: Teen Court Program

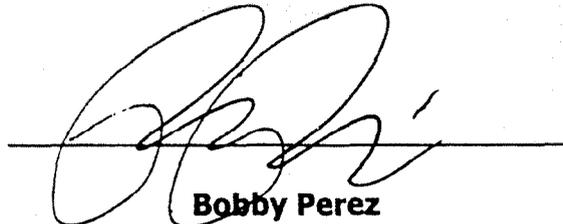
DATE: January 22, 2003

I am requesting Council concurrence in placing an item on the City Council Agenda for Thursday, January 30, 2003. I would like to allocate \$5,000.00 from the District 1 **Human Development Services Funds** to the Department of Community Initiatives Youth Services Division for the Teen Court Program. These funds will help support the efforts in further educating and exposing our youth to the judicial system.

Teen Court, also known as Youth Courts and Peer Courts, is one of the fastest growing programs in the community justice movement. To date, there are over 870 active youth court programs in the United States. These programs enthusiastically embrace restitution and community service, two common forms of community justice within their sentencing guidelines. In addition, teen court sends a strong message to the community and youth that young people do not condone law-breaking behavior.

In addition to supporting my request to schedule this matter for consideration by the City Council, the City Attorney has advised that you may request the agenda item include a proposed additional appropriate from your district's Contingency or Human Development funds by indicating the dollar amount of that proposed addition next to your signature. *Please note that staff has reviewed the request and concurs with this action.*

Thank you for your consideration.

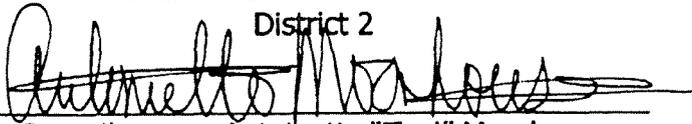


Bobby Perez
Councilman, District 1

Mayor Ed Garza



Councilman John H. Sanders
District 2



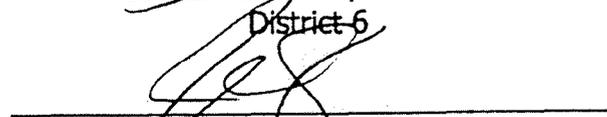
Councilwoman Antoinette "Toni" Moorhouse
District 3

Councilman Enrique "Kike" Martin
District 4

Councilman David Garcia
District 5



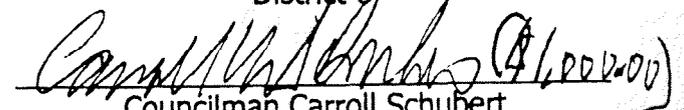
Councilman Enrique Barrera
District 6



Councilman Julián Castro
District 7



Councilwoman Bonnie Conner
District 8



Councilman Carroll Schubert
District 9

Councilman David Carpenter
District 10