

Date: June 9, 2009

Item No. 4

File No. 09027

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA PACKET CONTENTS LIST*

- Alvin Xex v OEWD
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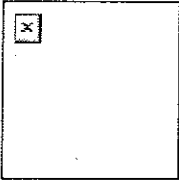
Completed by: Chris Rustom

Date: June 4, 2009

***This list reflects the explanatory documents provided**

~ Late Agenda Items (documents received too late for distribution to the Task Force Members)

** The document this form replaces exceeds 25 pages and will therefore not be copied for the packet. The original document is in the file kept by the Administrator, and may be viewed in its entirety by the Task Force, or any member of the public upon request at City Hall, Room 244.



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June 2, 2009

Nick Goldman, Chair
Members of the Complaint Committee

Re: Alvin Xex (09027) v. the Mayor's Office of Economic and Workforce Development

Dear Chair Goldman and Members of the Complaint Committee:

This letter addresses the issue of whether the Sunshine Ordinance Task Force ("Task Force") has jurisdiction over the complaint of Alvin Xex against the Mayor's Office of Economic and Workforce Development ("MOEWD")

BACKGROUND

On May 2009, Complainant Alvin Xex made an Public Records Request with the Mayor's Office of Economic and Workforce Development. He requested the names programs/efforts and number of employees within this government department. He also requested the number of and the names or efforts and programs for Women and Black males.

To his request, Alvin Xex claims that he did not get a response.

COMPLAINT

On May 14, 2009, Alvin Xex filed a complaint against MOEWD alleging violations of the Sunshine Ordinance.

SHORT ANSWER

Based on Complainant's allegation and the applicable sections of the Sunshine Ordinance and the California Public Records Act, which are cited below, the Sunshine Ordinance Task Force *does* have jurisdiction over the allegation. The allegations are covered under 67.21 of the Ordinance.

DISCUSSION AND ANALYSIS

Article I Section 3 of the California Constitution as amended by Proposition 59 in 2004, the State Public Records Act, the State Brown Act, and the Sunshine Ordinance as amended by Proposition G in 1999 generally covers the area of Public Records and Public Meeting laws that the Sunshine Ordinance Task Force uses in its work.

Letter to the Complaint Committee

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The Sunshine Ordinance is located in the San Francisco Administrative Code Chapter 67. All statutory references, unless stated otherwise, are to the Administrative Code. Section 67.21 generally covers requests for documents and Section 67.25 covers Immediate Disclosure Requests. CPRA Section 6253 generally covers Public Records Requests.

In this case, Alvin Xex made an Public Records Request. Alvin Xex alleges that MOEWD did not respond. Based on the allegations, the Task Force has jurisdiction to hear this complaint and will determine whether MOEWD violated the Ordinance and/or the Public Records Act.



SUNSHINE ORDINANCE TASK FORCE

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SUNSHINE ORDINANCE COMPLAINT

Complaint against which Department or Commission Economic Work Force & DEVELOPMENT

Name of individual contacted at Department or Commission Abonda Simon ET AL

Alleged violation public records access
 Alleged violation of public meeting. Date of meeting 5/8/09 calls

Sunshine Ordinance Section 67.34, 67.32, 67.35 ET AL
(If known, please cite specific provision(s) being violated)

Please describe alleged violation. Use additional paper if needed. Please attach any relevant documentation supporting your complaint.

I requested the names of programs/efforts and number of employees within this government department. Also, the number of, and name of efforts and programs for women and Black males if any. - Employee refused requests!

Do you want a public hearing before the Sunshine Ordinance Task Force? yes no
Do you also want a pre-hearing conference before the Complaint Committee? yes no

(Optional)¹ Name Alvin XEX Address [REDACTED]

Telephone No. 415 [REDACTED] E-Mail Address [REDACTED]@Aol.com

Date 5/14/09 Signature Alvin XEX

I request confidentiality of my personal information. yes no

¹ NOTICE: PERSONAL INFORMATION THAT YOU PROVIDE MAY BE SUBJECT TO DISCLOSURE UNDER THE CALIFORNIA PUBLIC RECORDS ACT AND THE SUNSHINE ORDINANCE, EXCEPT WHEN CONFIDENTIALITY IS SPECIFICALLY REQUESTED. YOU MAY LIST YOUR BUSINESS/OFFICE ADDRESS, TELEPHONE NUMBER AND E-MAIL ADDRESS IN LIEU OF YOUR HOME ADDRESS OR OTHER PERSONAL CONTACT INFORMATION. Complainants can be anonymous as long as the complainant provides a reliable means of contact with the SOTF (Phone number, fax number, or e-mail address).



OFFICE OF ECONOMIC AND WORKFORCE DEVELOPMENT
WORKFORCE DEVELOPMENT DIVISION
MEMORANDUM

TO: SUNSHINE ORDINANCE TASK FORCE
FROM: RHONDA SIMMONS, DIRECTOR OF WORKFORCE DEVELOPMENT
SUBJECT: RESPONSE TO COMPLAINT
DATE: 6/1/2009
CC: MICHAEL COHEN, DIRECTOR OF ECONOMIC AND WORKFORCE DEVELOPMENT
JOE ARELLANO, MAYOR'S OFFICE – COMMUNICATIONS DIVISION

In response to the complaint filed by Alvin Xex on May 14, 2009, OEWD provides the following information.

All OEWD Programs serve women and black males. These programs are:

- Workforce Investment Act programs that serve Adults, Dislocated Workers
- Business Services
- OneStop Career Link Centers and Neighborhood Workforce Centers
- CityBuild Academy
- GoSolar
- RAMP
- HopeSF

We collect detailed client level data in particular for our OneStop Career Link Centers, our WIA-funded programs and the CityBuild Academy.

- We have served nearly 20,000 people in the OneStops since July 1, of which roughly 46% are female and 32% are African American.
- Our Workforce Investment Act programs have served 1578 individuals this year, of which 60% are female and 24% are African American.
- The CityBuild Academy has graduated two cycles this year. Of the 104 graduates, 14% are female and 38% are African American.

The Workforce Development Division of the Office of Economic and Workforce Development currently consists of 25 staff members.