

Date: July 28, 2009

Item No. 4 & 5
File No. 09025

SUNSHINE ORDINANCE TASK FORCE

AGENDA PACKET CONTENTS LIST*

- Charles Pitts v Human Services
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Completed by: Chris Rustom

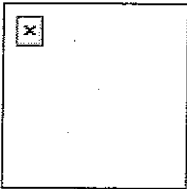
Date: July 16, 2009

***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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DENNIS J. HERRERA
City Attorney

ERNEST H. LLORENTE
Deputy City Attorney

DIRECT DIAL: (415) 554-4236
E-MAIL: ernest.llorente@sfgov.org

MEMORANDUM

June 15, 2009

CHARLES PITTS v. THE DEPARTMENT OF HUMAN SERVICES (09025)

COMPLAINT

THE COMPLAINANT ALLEGES THE FOLLOWING:

On May 12, 2009, Complainant Charles Pitts made an Immediate Disclosure Request to the Human Services Department.. In that request, Charles Pitts requested: 1. The agenda and minutes of the last Ten Year Plan Implementation Council about ending homelessness ("Council"); 2. The bylaws of the Council; 3. The first 10 e-mails and any other documents regarding the May meeting of the Council; 4. The document that lists the contact information to Chair Angela Alioto, Esq.

COMPLAINANT FILES COMPLAINT

On May 14, 2009, Charles Pitts filed a complaint with the Task Force against the Department of Human Services alleging that the DHS failed to respond, failed to post meeting notices; failed to produce documents.

JURISDICTION

Based on the allegations of the complaint and the sections of the Ordinance stated below, the Task Force has jurisdiction to hear this matter. In addition the parties in this case do not contest jurisdiction.

APPLICABLE STATUTORY SECTIONS:

1. Sunshine Ordinance, San Francisco Administrative Code Section 67.21 addresses general requests for public documents
2. Sunshine Ordinance, San Francisco Administrative Code Section 67.25 deals with Immediate Disclosure Requests.

Memorandum

- 3. Sunshine Ordinance, San Francisco Administrative Code Section. 67.26 deals with withholding kept to a minimum.
- 4. Sunshine Ordinance, San Francisco Administrative Code Section. 67.27 deals with justification for withholding.
- 5. Sunshine Ordinance Section 67.3 deals with the Definition of Meeting, Policy Body, Passive Meeting Body.
- 6. Sunshine Ordinance Section 67.4 deals with the Meeting requirements of Passive Meeting Bodies.
- 7. Sunshine Ordinance Section 67.6(e) deals with the Conduct of business by Passive Meeting Bodies.
- 8. California Public Records Act, Government Code Section 6253 deals with public records open to inspection, agency duties, and time limits.
- 9. California Public Records Act, Government Code Section 6255 deals with justification for withholding of records.

APPLICABLE CASE LAW:

none

ISSUES TO BE DETERMINED

1. FACTUAL ISSUES

A. Uncontested Facts:

The parties agree to the following facts:

Charles Pitts made an Immediate Disclosure Request for 1. The agenda and minutes of the last Ten Year Plan Implementation Council about ending homelessness ("Council"); 2. The bylaws of the Council; 3. The first 10 e-mails and any other documents regarding the May meeting of the Council; 4. The document that lists the contact information to Chair Angela Alioto, Esq.

B. Contested facts/ Facts in dispute:

The Task Force must determine what facts are true.

Memorandum

i. Relevant facts in dispute:

- Whether the Department of Human Services complied with the Immediate Disclosure Request.
- Whether the Council is required to comply with the requirements of the Sunshine Ordinance and State Brown Act.

2. QUESTIONS THAT MIGHT ASSIST IN DETERMINING FACTS:

a.). none.

3. SUGGESTED LEGAL ANALYSIS

- Determine how the Council was established.
- If a policy body or department did not establish the Council, then it may not be a policy body or passive meeting body.
- If a department established the Council, determine the relationship between the Council and the department.
- If the Council is not a policy body or passive meeting body, then the Council need not comply with the Sunshine Ordinance.
- If the Council is a policy body or passive meeting, determine if there were any violations of the Sunshine Ordinance.

3. LEGAL ISSUES/ LEGAL DETERMINATIONS:

- Were sections of the Sunshine Ordinance (Section 67.21 or 67.25), Brown Act, and/or Public Records Act were violated?
- Was there an exception to the Sunshine Ordinance, under State, Federal, or case law?

CONCLUSION

THE TASK FORCE FINDS THE FOLLOWING FACTS:

THE TASK FORCE FINDS THAT THE ALLEGED VIOLATIONS TO BE **TRUE OR NOT TRUE.**

Memorandum

ATTACHED STATUTORY SECTIONS FROM CHAPTER 67 OF THE SAN FRANCISCO ADMINISTRATIVE CODE (THE SUNSHINE ORDINANCE) UNLESS OTHERWISE SPECIFIED

Section 67.21 addresses general requests for public documents.

This section provides:

- a.) Every person having custody of any public record or public information, as defined herein, ... shall, at normal times and during normal and reasonable hours of operation, without unreasonable delay, and without requiring an appointment, permit the public record, or any segregable portion of a record, to be inspected and examined by any person and shall furnish one copy thereof upon payment of a reasonable copying charge, not to exceed the lesser of the actual cost or ten cents per page.
- b.) A custodian of a public record shall as soon as possible and within **ten days** (emphasis added) following receipt of a request for inspection or copy of a public record, comply with such request. Such request may be delivered to the office of the custodian by the requester orally or in writing by fax, postal delivery, or e-mail. If the custodian believes the record or information requested is not a public record or is exempt, the custodian shall justify withholding any record by demonstrating, in writing as soon as possible and within ten days following receipt of a request, that the record in question is exempt under express provisions of this ordinance.
- c.) A custodian of a public record shall assist a requester in identifying the existence, form, and nature of any records or information maintained by, available to, or in the custody of the custodian, whether or not the contents of those records are exempt from disclosure and shall, when requested to do so, provide in writing within seven days following receipt of a request, a statement as to the existence, quantity, form and nature of records relating to a particular subject or questions with enough specificity to enable a requester to identify records in order to make a request under (b). A custodian of any public record, when not in possession of the record requested, shall assist a requester in directing a request to the proper office or staff person.
- ...
- k.) Release of documentary public information, whether for inspection of the original or by providing a copy, shall be governed by the California Public Records Act Government Code Section 6250 et seq.) In particulars not addressed by this ordinance and in accordance with the enhanced disclosure requirement provided in this ordinance.

Memorandum

1.) Inspection and copying of documentary public information stored in electronic form shall be made available to the person requesting the information in any form requested which is available to or easily generated by the department, its officers or employees, including disk, tape, printout or monitor at a charge no greater than the cost of the media on which it is duplicated. Inspection of documentary public information on a computer monitor need not be allowed where the information sought is necessarily and unseparably intertwined with information not subject to disclosure under this ordinance. Nothing in this section shall require a department to program or reprogram a computer to respond to a request for information or to release information where the release of that information would violate a licensing agreement or copyright law.

Section 67.25 provides:

a.) Notwithstanding the 10-day period for response to a request permitted in Government Code Section 6256 and in this Article, a written request for information described in any category of non-exempt public information shall be satisfied no later than the close of business on the day following the day of the request. This deadline shall apply only if the words "Immediate Disclosure Request" are placed across the top of the request and on the envelope, subject line, or cover sheet in which the request is transmitted. Maximum deadlines provided in this article are appropriate for more extensive or demanding requests, but shall not be used to delay fulfilling a simple, routine or otherwise readily answerable request.

b.) If the voluminous nature of the information requested, its location in a remote storage facility or the need to consult with another interested department warrants an extension of 10 days as provided in Government Code Section 6456.1, the requestor shall be notified as required by the close of business on the business day following the request.

c.) The person seeking the information need not state his or her reason for making the request or the use to which the information will be put, and requesters shall not be routinely asked to make such a disclosure. Where a record being requested contains information most of which is exempt from disclosure under the California Public Records Act and this article, however, the City Attorney or custodian of the record may inform the requester of the nature and extent of the non-exempt information and inquire as to the requester's purpose for seeking it, in order to suggest alternative sources for the information which may involve less redaction or to otherwise prepare a response to the request.

d.) Notwithstanding any provisions of California Law or this ordinance, in response to a request for information describing any category of non-exempt public information, when so requested, the City and County shall

Memorandum

produce any and all responsive public records as soon as reasonably possible on an incremental or "rolling" basis such that responsive records are produced as soon as possible by the end of the same business day that they are reviewed and collected. This section is intended to prohibit the withholding of public records that are responsive to a records request until all potentially responsive documents have been reviewed and collected.

Section 67.28 provides:

a.) No fee shall be charged for making public records available for review.

...

c.) For documents assembled and copied to the order of the requester, unless a special fee as been established pursuant to subdivision of (d) of this section, a fee not to exceed 10 cents a page may be charged, plus postage.

Section 67.3 provides the definition of a meeting and a policy body.

Whenever in this Article the following words or phrases are used, they shall have the following meanings:

...

(b) **"Meeting"** shall mean any of the following:

(1) A congregation of a majority of the members of a policy body at the same time and place;

(2) A series of gatherings, each of which involves less than a majority of a policy body, to hear, discuss or deliberate upon any item that is within the subject matter jurisdiction of the City, if the cumulative result is that a majority of members has become involved in such gatherings, or

(3) Any other use of personal intermediaries or communications media that could permit a majority of the members of a policy body to become aware of an item of business and of the views or positions of other members with respect thereto, and to negotiate consensus thereupon.

...

(d) **"Policy Body"** shall mean:

(1) The Board of Supervisors;

(2) Any other board or commission enumerated in the charter;

Memorandum

- (3) Any board, commission, committee, or other body created by ordinance or resolution of the Board of Supervisors;
- (4) Any advisory board, commission, committee or body, created by the initiative of a policy body;
- (5) Any standing committee of a policy body irrespective of its composition.

Section 67.3(c) provides a definition of **passive meeting body**:

This section provides:

“Passive meeting body” shall mean:

- 1. Advisory committees created by the initiative of a member of a policy body, the Mayor, or a department head.

Section 67.4 deals with meeting notice requirements of Passive Meeting Bodies:

This sections provides:

All gathering of passive meeting bodies shall be accessible to individuals upon inquiry and to the extent possible consistent with the facilities in which they occur. Such gatherings need not be formally noticed, except on the City’s website whenever possible, although the time, place and nature of the gathering shall be disclosed upon inquiry by a member of the public and any agenda actually prepared for the gathering shall be accessible to such inquirers as a public record.

Section 67.6(e) deals with the conduct of business: time and place of meetings

This section provides:

e) Meetings of passive meeting bodies as specified in Section 67.6(d)(4) of this article shall be preceded by notice delivered personally or by mail, e-mail, or facsimile as reasonably requested at least 72 hours before the time of such meeting to each person who has requested in writing, notice of such meeting. If the advisory body elects to hold regular meeting, it shall provide by bylaws, or whatever other rule is utilized by that advisory body for the conduct of its business, for the time and place for holding such regular meetings. In such case, no notice of regular meetings, other than posting of an agenda pursuant to Section 67.7 of this article in the place used by the policy body which it advises is required.

Memorandum

The California Public Records Act is located in the state Government Code Sections 6250 et seq. All statutory references, unless stated otherwise, are to the Government Code.

Section 6253 provides.

- a.) Public records are open to inspection at all times during the office hours of the state or local agency and every person has a right to inspect any public record, except as hereafter provided. Any reasonably segregable portion of a record shall be available for inspection by any person requesting the records after deletion of the portions that are exempted by law.
- b.) Except with respect to public records exempt from disclosure by express provisions of law, each state or local agency, upon a request for a copy of records that reasonably describes an identifiable record or records, shall make the records promptly available to any person upon payment of fees covering direct costs of duplication, or a statutory fee if applicable. Upon request, an exact copy shall be provided unless impracticable to do so.
- c.) Each agency, upon a request for a copy of records, shall within 10 days from receipt of the request, determine whether the request, in whole or in part, seeks copies of disclosable public records in the possession of the agency and shall promptly notify the person making the request of the determination and the reasons therefore....



RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2009 MAY 14 AM 11:15

BY JRS

SUNSHINE ORDINANCE TASK FORCE
1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102
Tel. (415) 554-7724; Fax (415) 554-7854
<http://www.sfgov.org/sunshine>

SUNSHINE ORDINANCE COMPLAINT

Complaint against which Department or Commission DHS Department of Human Services

Name of individual contacted at Department or Commission meat RHOFF

Alleged violation public records access
 Alleged violation of public meeting. Date of meeting MAY'S TEN YEAR PLAN

Sunshine Ordinance Section _____
(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.

Failure to respond / Failure to post meeting failure to provide documents

I WANT A HEARING

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 Charles Pitts Address _____

Telephone No. _____ E-Mail Address _____@YAHOO.COM

Date _____ Signature [Signature]

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).

"Immediate Disclosure Request"

San Francisco administrative code 67.25.a

Trent Rhorer

I am requesting

1) The agenda and minuets of the last

Ten Year Plan Implementation Council (about ending homelessness)

2) I am requesting the bylaws of this council also

3) I am requesting the first 10 e-mails and any other documents

Regarding the may meeting regarding of the

Ten Year Plan Implementation Council (about ending homelessness)

4) I am requesting a document contact information to the chair "Angela Alioto, Esq."

City office

e-mail and

phone number

Charles pitts

1-415- [REDACTED]

2009 MAY 12 PM 3:16

RECEIVED
CCSF/DHS



RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2009 MAY 14 AM 11:15

BY [Signature]

SUNSHINE ORDINANCE TASK FORCE
1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102
Tel. (415) 554-7724; Fax (415) 554-7854
<http://www.sfgov.org/sunshine>

SUNSHINE ORDINANCE COMPLAINT

Complaint against which Department or Commission DHS Department of Human Services

Name of individual contacted at Department or Commission trout RITORT

Alleged violation public records access
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Sunshine Ordinance Section _____
(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.

Failor to respond / Failor to post meeting failor to provide DOCUMENT'S

I WANT A HEARING

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 CHARLES PITTS Address PO BOX

Telephone No. _____ E-Mail Address YAHOO.COM

Date _____ [Signature]
Signature

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).

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Ten Year Plan Implementation Council (about ending homelessness)

4) I am requesting a document contact information to the chair "Angela Alioto, Esq."

City office

e-mail and

phone number

Charles pitts

1-415-368-2354

2009 MAY 12 PM 3:16

RECEIVED
CCSF/DHS



SOTF/SOTF/SFGOV
06/17/2009 09:34 AM

To CHARLES PITTS <pakasaw@yahoo.com>, David Curto/DHS/CCSF@CCSF
cc Pamela Tebo/DHS/CCSF@CCSF
bcc Ernest.llorente@sfgov.org; Kristin@Chu.com
Subject Re: Continuance Requested: #09025_Charles Pitts vs DHS

Dear Mr. Pitts and Mr. Curto,

As per the agreement of both parties the above titled complaint has been continued to the July 28, 2009, hearing of the Sunshine Ordinance Task Force.

Frank Darby
Sunshine Ordinance Task Force
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102-4689
SOTF@SFGov.org
OFC: (415) 554-7724
FAX: (415) 554-7854

Complete a SOTF Customer Satisfaction Survey by clicking the link below.
http://www.sfgov.org/site/sunshine_form.asp?id=34307
CHARLES PITTS <pakasaw@yahoo.com>



CHARLES PITTS
<pakasaw@yahoo.com>
06/16/2009 02:55 PM

To SOTF <sotf@sfgov.org>
cc David Curto <David.Curto@sfgov.org>, Pamela Tebo <Pamela.Tebo@sfgov.org>
Subject Re: Continuance Requested: #09025_Charles Pitts vs DHS

i agree to a continuance
i still don't have the information i requested

--- On Tue, 6/16/09, SOTF <sotf@sfgov.org> wrote:

From: SOTF <sotf@sfgov.org>
Subject: Continuance Requested: #09025_Charles Pitts vs DHS
To: pakasaw@yahoo.com
Cc: "David Curto" <David.Curto@sfgov.org>, "Pamela Tebo" <Pamela.Tebo@sfgov.org>
Date: Tuesday, June 16, 2009, 11:16 AM

Dear Mr. Pitts

The Department of Human Services has requested a continuance of the above

titled complaint to the July 28, 2009, meeting of the full Task Force.

Do you agree to a continuance?

Frank Darby
Sunshine Ordinance Task Force
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102-4689
SOTF@SFGov.org
OFC: (415) 554-7724
FAX: (415) 554-7854

Complete a SOTF Customer Satisfaction Survey by clicking the link below.

http://www.sfgov.org/site/sunshine_form.asp?id=34307

----- Forwarded by SOTF/SOTF/SFGOV on 06/16/2009 08:54 AM -----

David
Curto/DHS/CCSF@CC
SF
06/16/2009 08:33 AM
To
Frank Darby/BOS/SFGOV@SFGOV
cc
pamela.tebo@sfgov.org
Subject
Sunshine Task force meeting June
23rd

Hi Frank,

I am requesting a continuance of items # 09024 Paul Westin
09026 Hanna Leung
Continuing Charles Pitts


I am out of the state on that week and I am the most appropriate person to appear on these items from the Human Services Agency. We could sent someone to the meeting but without first hand knowledge of the complaints and

remedies implemented to date. A continuance is the most effective way to resolve these complaints. when I can appear personally.

Thank-you

Dave Curto
Director of Contracts
Human Services Agency
415-557-5581

Pamela
Tebo/DHS/CCSF@CCSF
06/17/2009 10:01 AM

To SOTF/SOTF/SFGOV@SFGOV
cc David Curto/DHS/CCSF@CCSF, CHARLES PITTS
<pakasaw@yahoo.com>
bcc
Subject Re: Continuance Requested: #09025_Charles Pitts vs DHS


Thanks so much.

Charles, I'll re-send the email to you that responds to this request.

Pamela Tebo
Office of the Executive Director
SF Human Services Agency
P.O. Box 7988
San Francisco, CA 94120
(415) 557-6540 - Phone
(415) 431-9270 - Fax
SOTF/SOTF/SFGOV@SFGOV

Pamela
Tebo/DHS/CCSF@CCSF
06/17/2009 10:26 AM

To CHARLES PITTS <pakasaw@yahoo.com>
cc SOTF/SOTF/SFGOV@SFGOV, David
Curto/DHS/CCSF@CCSF
bcc

Subject Fw: Your Public Records Request

Dear Charles, Here is the response to your public records request. Please clarify #3 below because I'm not sure what you want. Also, even though I responded to your request on May 26, 2009 - we were late replying to you. Sorry, but we messed up on this request. You sent the request to Alison in our Housing & Homeless division, but she did not forward the request to me for a prompt response. Since then, I asked Alison to be sure to forward all Public Records Requests to me, then I will work with her to respond.

In any event, we were late in replying to your public records request. Thanks again for agreeing to have this heard by the Sunshine Task Force at the meeting on July 28. See you then.

Pamela Tebo
Office of the Executive Director
SF Human Services Agency
P.O. Box 7988
San Francisco, CA 94120
(415) 557-6540 - Phone
(415) 431-9270 - Fax


----- Forwarded by Pamela Tebo/DHS/CCSF on 06/17/2009 10:02 AM -----

Pamela Tebo/DHS/CCSF

05/26/2009 04:23 PM

To CHARLES PITTS <pakasaw@yahoo.com>

cc

Subject Your Public Records Request 

Dear Charles, I am in receipt of your public request in which you seek the following documents related to the 10 Year Plan Implementation Council: (your questions are in bold)

1) **The agenda and minutes of the last 10 Yr. Plan Implementation Council.** (Please note, the minutes are still in Draft form.)



Pitts 5.26.09 Att 1. Agenda.doc



Pitts 5.26.09 Att 2. Draft Minutes.doc

2) **I am requesting a copy of the by-law of this council**

The department has no documents that respond to this request.

3) **I am requesting the first 10 emails and any other documents regarding the May meeting regarding the 10 Yr Plan Implementation Council.**

Please clarify this request.

4) I am requesting a document contact information to the chair "Angela Alioto, Esq., City Office, email and phone number."

Angela Alioto, Chair, 10 Year Plan Implementation Council does not have a City & County of San Francisco office, email or phone number. Angela Alioto can be reached through Alison Schlageter, the council's staff person. Ali's contact information is:

Alison Schlageter
c/o SF Human Services Agency
P.O. Box 7988
San Francisco, CA 94120-7988
(415) 557-6451 (Phone)
(415) 557-6033 (Fax)
Alison.Schlageter@sfgov.org

In the future to avoid any delay in responding to your public records request, please direct all public records requests to my attention at the address below or through my email address.

Thank you,

Pamela Tebo
Office of the Executive Director
SF Human Services Agency
P.O. Box 7988
San Francisco, CA 94120
Pamela.Tebo@sfgov.org
(415) 557-6541 - Phone
(415) 431-9270 - Fax



San Francisco Ten Year Plan Implementation Council

Angela Alioto, Esq.
Chairwoman

Mel Beetle
Kristie Fairchild
Jennifer Friedenbach
Susan Lange
Connie Perry, Esq.
Lucy Quacinella, Esq.
George Wesolek

March 19, 2009
City Hall Room 288
3:00pm-5:00pm

Agenda

- | | | |
|------|--|--------|
| I. | Introduction and Welcome | 3:00pm |
| II. | Chair's Report | 3:05pm |
| III. | Special Guest Update on Federal Investments
Philip F. Mangano, Executive Director
U.S. Interagency Council on Homelessness | 3:15pm |
| IV. | City Budget Update
A) Human Services Agency
B) Department of Public Health | 3:30pm |
| V. | Update on SF Community Justice Court | 4:00pm |
| VI. | Update on Housing Pipeline
Mayor's Office on Housing | 4:30pm |
| VII. | Staff Report | |

Proposed Next Quarterly Meeting: May 13, 2009

Disability Access

The hearing room is wheelchair accessible.

Chemical-Based Products

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City to accommodate these individuals.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102-4689; by phone at (415) 554 7724; by fax at (415) 554 7854; or by email at sotf@sfgov.org.

Citizens interested in obtaining a free copy of the Sunshine Ordinance can request a copy from The Sunshine Ordinance Task Force Administrator or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Ten-Year Plan Implementation Council
Meeting Minutes
March 19, 2009
DRAFT

Council Members in Attendance: Angela Alioto (chair); Lucy Quacinella;

Council Members Absent: Mel Beetle; Kristie Fairchild; Jennifer Friedenbach; Susan Lange
Connie Perry, Esq.; Lucy Quacinella, Esq.; George Wesolek

I. Introduction and Welcome

Chair Alioto welcomed everyone in attendance. At the meeting there were representatives from Mayor's Office; Department of Public Health; Human Services Agency; US Interagency Council on Homelessness; Shelter Monitoring Committee; Community Justice Court; Mayor's Office on Housing

II. Chair's Report

There is new staff to the Ten Year Council, Ali Schlageter. Ali is also the staff to the Local Homeless Coordinating Board.

III. City Budget Update

A) Human Services Agency

Joyce Crum, Director of Housing and Homeless Programs, provided an update on the Human Services Agency Homeless budget cuts. HSA made cuts after a request from the Mayor that all City Departments submit a 12.5% cut to their general funded programs and another 12.5% contingency cut. HSA used guiding principles. The 2009-2010 cuts will result in internal layoffs along with cuts to the CBOs projects. A chart was provided to the Council that showed where the proposed cuts would come from. The City worked with CBOs to determine where the cuts would come from.

IV. Special Guest Update on Federal Investments

Philip F. Mangano, Executive Director, U.S. Interagency Council on Homelessness
Mr. Mangano spoke about the increase in Federal Funds through the Homeless Assistance McKinney grant. San Francisco received one of the rapid rehousing pilot program grants.

Trends are showing nation wide that chronic homelessness is on the decline and that the interventions being used, such as housing first, are working. However as a result of the recession family homelessness is on the rise. Rapid Rehousing funds can assist with combating this.

Mr. Mangano also spoke about the American Recovery and Reinvestment Act funding. This is an influx in many funding opportunities outside of the McKinney Homeless Assistance grant. There was also the enactment of the \$1 billion National Housing Trust Fund; more CBDG funds, and more Section 8 vouchers. This is an exciting time. San Francisco has access to all these funds and should utilize them.

Chair Alioto asked where has the City gone wrong? Still increase need at St. Anthony's and the Food Bank. What can be done better? Are other cities doing it better?

Mr. Mangano responded by saying that there is a lot of Federal funding coming out; unfortunately it comes out in silos. Locally cities need to coordinate all of this and make it streamlined, such as a one stop, for the clients who need assistance. The example he gave that there was a one stop created to assist people in Katrina, a natural disaster; there should be a one stop for people who need help during this economic disaster. Co-locate all the stimulus-funded services and put the services in place where most of the people experiencing difficulties can access it. (Project Homeless Connect model)

Dariush Kayhan said most stimulus funds will be used to serve families on the Connecting Point waitlist.

Council member Quacinella suggested that the City offset local budget cuts with the additional revenue that will be coming from food stamps and medical.

Daryl Higashi of Human Services Agency brought up that the local Housing Authority is also getting stimulus money. How are other localities using that funding? A possibility could be to use rehabbed units for the rapid rehousing participants or attach service dollars to vacant units that are turned over.

Dariush stated that Trent Rhorer is calling a meeting with the Housing Authority to discuss these issues. There also needs to be a regional approach. This is where Chair Alioto's assistance could be used. Other counties are also receiving money and a coordinated effort can have a big impact.

V. Update on SF Community Justice Court

Judge Ron Albers was at the meeting to provide an update on CJC. It has been fast going from the concept of the court to the opening. It will take time for the court to be fully ramped up and at the place where everyone wants it to be at functionally, ie: concept fully implemented and operational. The court is currently working on the technology side and gaining access to criminal records for people who will be providing the services. They are around three months to full operation plus needed resources.

There is only a three-day turn around from when one receives a citation and appears in the court. This is helpful when trying to get someone in services. Also dealing with someone's record and criminal activity reduces their barriers to housing.

One year needed to fully engage in all the work the court wants to do with the participants.

Court works with felonies and misdemeanors, not quality of life citations.

Today, March 19, 19 people were expected and 8 showed up. This 50% show rate is a great improvement from the 0% show rate on the first day the courts opened.

Council member Quacinella asked if the courts have an emphasis on services and working with the mentally ill , etc why do the courts need to be involved at all? Why not just give additional funding to services to increase their capacity?

Judge stated that the court is necessary because the law still needs to be upheld and people held accountable for their actions. Diversion is good for people with mental illness. CJC reduces the barriers that some other courts put on people. Example of this is that they can recall bench warrants. (Using the criminal justice system to eradicate the barriers that the criminal justice system sets up). Diversion and behavioral health courts provide the City with savings. Targeted to people in the Tenderloin and South of Market area.

Council member Quacinella asked again about the resources being used for the court? Currently all services in the City are seeking resources to maintain their programs, so why a new court? Court is already in existence with funding in place so the debate is over. Council members were invited to attend the court at any time.

(Item III: Budget Update, cont.)

B) Department of Public Health

DPH representative, Mark Trotz presented briefly on the DPH budget cuts that would impact homeless programs. At the time DPH was asked to cut \$100 million from their general fund and they were almost at their target goal. They are looking at the stimulus funds as possible revenue sources to stave off some of the cuts but no final decisions have been made yet.

Mr. Trotz spoke briefly, and not in detail, about programs that are facing cuts. La Casa Mariposa transitional living for domestic violence victims; Kean Hotel which is a respite program; the loss of 100 stabilization rooms; 5% across the board cuts for CBOs;

Mr. Trotz stated that there are no cuts that he deems at "catastrophic". A full listing of all the proposed cuts are available on the DPH website.

Chairwoman Alioto expressed some concern over the loss of stabilization rooms because there are currently homeless people in North Beach that she would like to have access to those rooms.

VI. Update on Housing Pipeline

Joel Lipski from the Mayor's Office on Housing presented the most recent housing pipeline. He noted the new units coming online for chronically homeless singles, which assist in completing the goals of the Ten Year Council. There are also a couple of housing projects coming online in the next year or so for senior and two recently completed projects for families.

It was noted that where new construction started before the budget cuts those projects will still continue. The only issues that they might incur are with programs that are state funded for capitol costs.

Next Meeting: To Be Decided



CHARLES PITTS
<pakasaw@yahoo.com>

06/17/2009 07:09 PM

To David Curto <David.Curto@sfgov.org>, SOTF
<sotf@sfgov.org>

cc Pamela Tebo <Pamela.Tebo@sfgov.org>,
alison.schlageter@sfgov.org

bcc

Subject Re: Continuance Requested: #09025_Charles Pitts vs DHS

my main problem is now
the bylaws
i requested them and still don't have them
of the ten year council

--- On **Wed, 6/17/09**, SOTF <sotf@sfgov.org> wrote:

From: SOTF <sotf@sfgov.org>

Subject: Re: Continuance Requested: #09025_Charles Pitts vs DHS

To: "CHARLES PITTS" <pakasaw@yahoo.com>, "David Curto" <David.Curto@sfgov.org>

Cc: "Pamela Tebo" <Pamela.Tebo@sfgov.org>

Date: Wednesday, June 17, 2009, 11:34 AM

Dear Mr. Pitts and Mr. Curto,

As per the agreement of both parties the above titled complaint has been continued to the July 28, 2009, hearing of the Sunshine Ordinance Task Force.

Frank Darby
Sunshine Ordinance Task Force
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102-4689
SOTF@SFGov.org
OFC: (415) 554-7724
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Complete a SOTF Customer Satisfaction Survey by clicking the link below.
http://www.sfgov.org/site/sunshine_form.asp?id=34307

CHARLES PITTS
<pakasaw@yahoo.co
m>

To
SOTF <sotf@sfgov.org>



Alison Schlageter
<Alison_Schlageter@ci.sf.ca.us>

06/18/2009 09:37 AM

To pakasaw@yahoo.com

cc David Curto <David.Curto@sfgov.org>, Pamela Tebo
<Pamela.Tebo@sfgov.org>, SOTF <sotf@sfgov.org>, Joyce
Crum <Joyce.Crum@sfgov.org>

bcc

Subject Re: Continuance Requested: #09025_Charles Pitts vs DHS

Charles, I do not believe there are any bylaws for the Ten Year Council. Pam Tebo is out of the office today and will reply to you tomorrow.

Thanks

ali

Ali Schlageter
SF Local Homeless Coordinating Board Policy Analyst
Ten Year Implementation Council, Staff
Phone: 1-415-557-6451
Email: Alison.Schlageter@sfgov.org

CHARLES PITTS <pakasaw@yahoo.com>

06/17/2009 07:09 PM

To David Curto <David.Curto@sfgov.org>, SOTF <sotf@sfgov.org>

cc Pamela Tebo <Pamela.Tebo@sfgov.org>,
alison.schlageter@sfgov.org

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To: "CHARLES PITTS" <pakasaw@yahoo.com>, "David Curto" <David.Curto@sfgov.org>

Cc: "Pamela Tebo" <Pamela.Tebo@sfgov.org>

Date: Wednesday, June 17, 2009, 11:34 AM

Dear Mr. Pitts and Mr. Curto,



Pamela Tebo
 <Pamela.Tebo@sfgov.org>
 06/19/2009 04:22 PM

To pakasaw@yahoo.com
 cc alison.schlageter@sfgov.org, David Curto
 <David.Curto@sfgov.org>, SOTF <sotf@sfgov.org>
 bcc

Subject Re: Continuance Requested: #09025_Charles Pitts vs DHS

Dear Charles,

We have looked everywhere and we do not have a copy of By-Laws for the Ten Year Plan Implementation Council to End Homelessness. I do not believe the Council has By-Laws. Please keep in mind, that there are no Human Services staff on this Council. However, Ali Schlageter from our Housing & Homeless Division, in March of this year took over staffing these meetings and that is why Ali has been able to provide you with some documents such as minutes and agenda from the last meeting.

Thanks,

Pamela Tebo
 Office of the Executive Director
 SF Human Services Agency
 P.O. Box 7988
 San Francisco, CA 94120
 (415) 557-6540 - Phone
 (415) 431-9270 - Fax

CHARLES PITTS <pakasaw@yahoo.com>

06/17/2009 07:09 PM

To David Curto <David.Curto@sfgov.org>, SOTF <sotf@sfgov.org>
 cc Pamela Tebo <Pamela.Tebo@sfgov.org>,
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