

Date: August 23, 2011

Item No. 10 & 11

File No. 11046

SUNSHINE ORDINANCE TASK FORCE

AGENDA PACKET CONTENTS LIST*

Charles Pitts v Shelter Monitoring Committee

Completed by: Chris Rustom

Date: August 19, 2011

***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.



DENNIS J. HERRERA
City Attorney

MICHAEL R. KARNS
Deputy City Attorney

Direct Dial: (415) 554-3970
Email: michael.karns@sfgov.org

MEMORANDUM

TO: Sunshine Ordinance Task Force
FROM: Michael Karns
Deputy City Attorney
DATE: August 15, 2011
RE: Charles Pitts v. Shelter Monitoring Committee (Complaint #11046)

THE COMPLAINANT ALLEGES THE FOLLOWING:

Complainant Charles Pitts ("Complainant") alleges that on May 18, 2011, the Shelter Monitoring Committee (the "Committee") temporarily recessed its regularly-scheduled meeting and during that recess discussed business that was part of the agenda, in violation of the public meetings laws.

COMPLAINANT FILES COMPLAINT:

On June 15, 2011, Complainant filed a Complaint against the Committee for its alleged violations, without specifying the sections of law that had been violated. On July 18, 2011, Complainant amended his complaint to name the chair and staff of the Committee as respondents to the Complaint.

JURISDICTION

The Committee is a 13 member policy body appointed by the Mayor, the Board of Supervisors, and the Local Homeless Coordinating Board. The Committee is established by Chapter 20, Article 12 of the San Francisco Administrative Code. Therefore, the Sunshine Ordinance Task Force has jurisdiction over the complaint and the Committee does not contest jurisdiction.

APPLICABLE STATUTORY SECTION(S):

- Section 67.5 governs open meeting requirements and application of the Ralph M. Brown Act to a meeting of a board or commission enumerated in the charter.

APPLICABLE CASE LAW:

None.

CONTESTED/UNCONTESTED FACTS:

Prior to the May 18, 2011 meeting of the Shelter Monitoring Committee, Chairman LJ Cirilo drafted a letter to Mayor Ed Lee and President David Chiu. The draft letter was included in a meeting packet which was circulated five days prior to the meeting, and which also was posted on the Committee's web site. On the day of the May 18, 2011 meeting, Chairman Cirilo circulated changes to the original draft letter. During the May 18, 2011 meeting, in open session, the Committee discussed major and substantive edits to the document. Committee staff advised the Committee to recess for a brief time, sufficient to allow Committee staff to incorporate all edits in an updated draft of the letter. During the recess, Committee staff updated the letter to

MEMORANDUM

TO: Sunshine Ordinance Task Force
DATE: August 15, 2011
PAGE: 2
RE: Charles Pitts v. Shelter Monitoring Committee (Complaint #11046)

include the edits which had been discussed in open session. Committee staff consulted with Secretary Matt Luton to ensure all edits had been captured. The meeting was reconvened by Chairman Cirilo and the updated letter, including all edits, was read into the record.

QUESTIONS THAT MIGHT ASSIST IN DETERMINING FACTS:

- Were all changes made to the letter in question made in public open session of the meeting?
- How were the chair's edits to the letter on the day of the meeting circulated and was there any communication between members of the Committee regarding those edits outside of the Committee meeting where the letter was discussed, such as via email?
- During the recess, did members of the Committee take part in any discussions involving the letter in question?
- Were the duties performed by the Committee staff during the brief period of recess purely administrative?

LEGAL ISSUES/LEGAL DETERMINATIONS:

- Was the Brown Act or the Sunshine Ordinance violated when the Committee recessed so that Committee staff could incorporate in the draft letter updates which had been discussed in open session?
- Does Section 67.5 of the Sunshine Ordinance, or any other section, require that administrative duties performed in support of a regular meeting of a committee or board be performed in open session?

CONCLUSION:

THE TASK FORCE FINDS THE FOLLOWING FACTS TO BE TRUE:

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

ATTACHED STATUTORY SECTIONS FROM CHAPTER 67 OF THE SAN FRANCISCO ADMINISTRATIVE CODE UNLESS OTHERWISE SPECIFIED

MEMORANDUM

TO: Sunshine Ordinance Task Force
 DATE: August 15, 2011
 PAGE: 3
 RE: Charles Pitts v. Shelter Monitoring Committee (Complaint #11046)

Sec. 67.5. Meetings To Be Open And Public; Application Of Brown Act.

All meetings of any policy body shall be open and public, and governed by the provisions of the Ralph M. Brown Act (Government Code Sections 54950 et. seq.) and of this article. In case of inconsistent requirements under the Brown Act and this article, the requirement which would result in greater or more expedited public access shall apply.

THE RALPH M. BROWN ACT (CAL. GOV'T CODE § 54950, ET SEQ.)**§ 54952.2. MEETING; PROHIBITED DEVICES FOR OBTAINING COLLECTIVE CONCURRENCE; EXCLUSIONS FROM CHAPTER**

(a) As used in this chapter, "meeting" includes any congregation of a majority of the members of a legislative body at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the legislative body or the local agency to which it pertains.

(b) Except as authorized pursuant to Section 54953, any use of direct communication, personal intermediaries, or technological devices that is employed by a majority of the members of the legislative body to develop a collective concurrence as to action to be taken on an item by the members of the legislative body is prohibited.

THE CALIFORNIA CONSTITUTION AS AMENDED BY PROPOSITION 59 IN 2004 PROVIDES FOR OPENNESS IN GOVERNMENT.

Article I Section 3 provides:

- a) The people have the right to instruct their representative, petition government for redress of grievances, and assemble freely to consult for the common good.
- b)(1) The people have the right of access to information concerning the conduct of the people's business, and therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny.
- 2) A statute, court rule, or other authority, including those in effect on the effective date of this subdivision that limits the right of access shall be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.
- 3) Nothing in this subdivision supersedes or modifies the right of privacy guaranteed by Section 1 or affects the construction of any statute, court rule, or other authority to the extent that it protects that right to privacy, including any statutory procedures governing discovery or disclosure of information concerning the official performance or professional qualifications of a peace officer.
- 4) Nothing in this subdivision supersedes or modifies any provision of this Constitution, including the guarantees that person may not be deprived of life, liberty, or property without due process of law, or denied equal protection of the laws, as provided by Section 7.
- 5) This subdivision does not repeal or nullify, expressly or by implication, any constitutional or statutory exception to the right of access to public records or meetings or public bodies that is in

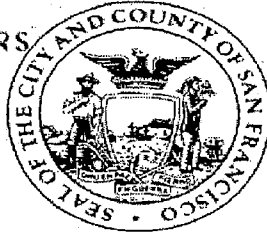
MEMORANDUM

TO: Sunshine Ordinance Task Force
DATE: August 15, 2011
PAGE: 4
RE: Charles Pitts v. Shelter Monitoring Committee (Complaint #11046)

effect on the effective date of this subdivision, including, but not limited to, any statute protecting the confidentiality of law enforcement and prosecution records.

6) Nothing in this subdivision repeals, nullifies, supersedes, or modifies protections for the confidentiality of proceedings and records of the Legislature, the Members of the Legislature, and its employees, committee, and caucuses provided by Section 7 of Article IV, state law, or legislative rules adopted in furtherance of those provisions: nor does it affect the scope of permitted discovery in judicial or administrative proceedings regarding deliberations of the Legislature, the Members of the Legislature, and its employees, committees, and caucuses.

RECEIVED
BOARD OF SUPERVISORS



RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2011 JUN 15 AM 9:46

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 Shelter monitoring committee

Name of individual contacted at Department or Commission _____

Alleged violation public records access
 Alleged violation of public meeting. Date of meeting may/16/2011

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.

committee went in for GRES to talk about A
Agenda A ~~issue~~ issue (in the middle of A
Agenda A 20am)

see attached CO

Do you wish a public hearing before the Sunshine Ordinance Task Force? yes no

(Optional)¹ Name Charles Pitts Address _____

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

Date _____ Signature _____

¹ NOTICE: PERSONAL INFORMATION THAT YOU PROVIDE IS SUBJECT TO DISCLOSURE UNDER THE CALIFORNIA PUBLIC RECORDS ACT AND THE SUNSHINE ORDINANCE, EXCEPT WHEN CONFIDENTIALITY IS SPECIFICALLY REQUESTED. 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).

Charles pitts

I want to amend my sunshine ordnance complaint
To add the chair and the staff of the shelter monitoring committee

Chair LJ Cirilo

Bernice Casey

I assume this is the file number
file: 11046_Complaint

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2011 JUL 18 PM 4:11
BY RC

Charles Pitts said that the Sunshine Task Force had sent a letter to the City Attorney regarding the definition of quorum needed to take action at a meeting.

B. Quarterly Report

Committee Members reviewed the Quarterly Report covering the third quarter, January-March 2011 and made edits.

*Action: Approved Quarterly Report
m/s/c/ (Ward/Cirilo/Unanimous)*

Public Comment

Briana Moore suggested that numbers be put on each graph to illustrate values and that charts should have different colors to make the different categories clear.

C. 2011-2012 Budget Letter

The Committee reviewed the budget letter for 2011-2012 addressed to the Mayor's and the Board of Supervisors. Based on the different suggestions, the Chair adjourned the meeting from 11:40 am to 11:40 am so that staff could capture all the comments in a succinct manner.

Committee Member Will Daley and Committee Ward requested to be excused from the vote.

*Action: Approved Request to Be Excused
m/s/c/ (Cirilo/Upshaw/Unanimous)*

*Action: Approved Budget Letter
m/s/c/ (Upshaw/Cirilo/Unanimous)*

Public Comment

Marlon Mendieta said that the budget letter should focus on the strength of the Committee, the data it has collected in its reports.

V. INFORMATION REQUESTS

A. Staff Report

Ms. Casey reviewed the May 2011 Staff Report.

Public Comment

Charles Pitts said that the Committee should make sure they follow Sunshine. He said that he could keep [Committee] staff going to Sunshine hearings by following complaints.

B. Information Requests

The Committee requested the information requests regarding training be made to the Human Services Agency and Department of Public Health.

To obtain copies of the agenda, minutes, or any explanatory documents, please contact Bernice Casey at 415.255.3653 or Bernice.casey@sfdph.org 72 hours before the meeting.

Shelter Monitoring Committee

18MAY11

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City and County of San Francisco
Shelter Monitoring Committee

July 12, 2011

Mr. Richard Knee, Chair
Sunshine Ordinance Task Force
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102

Dear Mr. Knee.

This letter addresses the allegations of a Sunshine violation on part of the Committee made by Mr. Charles Pitts. Mr. Pitts alleges that the Committee went into recess to discuss an agenda item during the May 18, 2011 Committee meeting. The Committee did not violate any known rules or regulations under Sunshine or Brown nor did it discuss an agenda item during the recess.

The Committee received a draft budget letter crafted by Chair LJ Cirilo in the meeting packet circulated five days before the meeting and posted on the Committee's web site. Please see Attachment 1. On the day of the meeting, Chair Cirilo circulated changes to the original draft budget letter. Please see Attachment 2. During the meeting, in open session, Committee Members made drastic edits to the document and staff needed time to fully capture these edits. Staff advised the Committee to adjourn to allow time for staff to incorporate all edits in the budget letters. Please see Attachment 3. Staff incorporated the edits and spoke to Secretary Matt Luton to ensure all edits had been captured. The meeting was reconvened by Chair Cirilo and the changes were read into the record.

Staff consulted Deputy City Attorney Jennifer Williams to clarify the *Public Meeting Checklist* of the Good Government Guide which states that "a policy body may continue the hearing of the agenda items and adjourn meetings..." Staff has confirmed with the following individuals that policy bodies are allowed to adjourn and reconvene:

Chris Rustrom, Sunshine Ordinance Task Force on July 6, 2011
Jennifer Williams, Deputy City Attorney on July 6, 2011

The Committee welcomes comments for the public and government agencies on how to continue to improve its public meeting process. Committee staff will be available from 4:00 to 5:30 pm on July 26, 2011 to answer any questions the full Task Force may have about this incident or the work of the Committee in general. Please let me know if you have any additional questions.

Sincerely,

Bernice Casey
Policy Analyst

Attachments
cc: Mr. Charles Pitts

1380 Howard Street, First Floor
San Francisco, CA 94103
www.sfgov.org/sheltermonitoring

(415) 255-3642 (phone)
(415) 255-3629 (fax)
shelter.monitoring@sfgov.org

ATTACHMENT 1

DRAFT BUDGET LETTER

Dear Mayor Lee & Members of the Board of Supervisors,

We are writing to urge you to reconsider the proposed budget cuts to homeless services in the City & County. This community has already faced deep cuts, and any further cuts will have far reaching consequences for homeless people as well as those who live in, work in and visit our City.

The reality is that the non-profit organizations to which the City has outsourced much of the care for this population can't stand further cuts. There has been no COLA given to most of these non-profits since 2007. Many of their front-line staff, a good number of whom are formerly homeless, face the very real possibility of becoming homeless again if they are laid off.

We urge you to think about what our city will look like in 6 months if these cuts take place. There will be more people out on the streets with nowhere to go during the day. Emergency room visits will markedly increase. Seniors, children and people with disabilities will be especially impacted. In fact, we believe that these cuts will ultimately lead to greater expenses for the City in the form of the healthcare expenditures that will increase as more and more people who have reduced options for legal and safe rest are driven into health crises. Shelter, daytime drop-in, and other preventative measures are ultimately a cost savings for San Francisco.

While we realize that the City is in precarious fiscal straits, we believe that we have identified some areas of potential cost savings, and we urge you to take a serious look at them.

The non-profit organizations which contract with the City to provide services should have access to the purchasing discounts that the City enjoys. The increased purchasing volume, may, in fact, allow the City to negotiate deeper discounts with vendors.

Eliminate the proposed Community Justice Centers (budgeted @ \$1.3 million), and retaining the daytime and drop-in services that HSA has proposed cutting is a wiser use of tax dollars. In many instances, clients of these centers will, ironically enough, be referred to the very programs which the City is proposing to cut.

Cut or eliminate the Mayor's Office of Neighborhood Services. There are many redundancies now that the 311 system is operational.

Full enforcement and collection of the Transfer Tax on mergers and acquisitions.

Full enforcement and collection of Healthy San Francisco fees.

In 2003, the City and County adopted the precautionary principle, which states "do the least harm." We urge you to reconsider these budget cuts, and do the least harm to the most underserved and vulnerable among us.

Sincerely,

LJ Cirilo

Chairperson

Shelter Monitoring Committee

ATTACHMENT 2

DRAFT BUDGET LETTER -2

Dear Mayor Lee & Members of the Board of Supervisors,

We are writing to urge you to reconsider the proposed budget cuts to homeless services in the City & County. This community has already faced deep cuts, and any further cuts will have far reaching consequences for homeless people as well as those who live in, work in and visit our City.

The reality is that the non-profit organizations to which the City has outsourced much of the care for this population can't stand further cuts. There has been no COLA given to most of these non-profits since 2007. Many of their front-line staff, a good number of whom are formerly homeless, face the very real possibility of becoming homeless again if they are laid off.

We urge you to think about what our city will look like in 6 months if these cuts take place. There will be more people out on the streets with nowhere to go during the day. Emergency room visits will markedly increase. Seniors, children and people with disabilities will be especially impacted. In fact, we believe that these cuts will ultimately lead to greater expenses for the City in the form of the healthcare expenditures that will increase as more and more people who have reduced options for legal and safe rest are driven into health crises. Shelter, daytime drop-in, and other preventative measures are ultimately a cost savings for San Francisco.

Here are some of the proposed reductions we are particularly concerned about:

From the Human Services Agency

- \$3.1 million in cuts to Supportive Housing
- Cutting people off CAAP if they miss an appointment (30 day sanction – no ability to apply under other programs)
- Taking money out of SSI retro checks for CAAP recipients to cover shelter costs
- Closing Next Door during the day
- 80% cut to resource centers like MNRC and Mother Browns

Any cuts to shelters or resource centers would impact an already stretched staff to client ratio and the ability for clients to learn/access services to gain employment, housing and ultimately be able to exist out of homelessness.

From Health Department

The Health Department has \$27.4 million in cuts. They are proposing 9% cuts across all residential substance abuse and mental health programs and 16.5% from other homeless, community mental health and substance abuse programs that are funded with city dollars. This would lead to the closure of several residential treatment centers, and a severe cut back in drop-in capacity of the two health funded centers including the Tenderloin Self Help Center and 6th Street Drop-In. In addition, a loss of approximately 125 SRO rooms for sick and disabled homeless people. Furthermore, any cuts to SFSTART, the 11 member roving case management team, would impact the ability for clients to access case management services in an environment that is already scarce and severely limited to those considered “most in need” currently. Finally, another vital component worth maintaining is the SOC nutritionist -\$35,000 and training resources as outlined in this quarters SMC report, to ensure that staff are trained and that training is tracked and on-going.

While we realize that the City is in precarious fiscal straits, we believe that we have identified some areas of potential cost savings, and we urge you to take a serious look at them.

1. *The non-profit organizations which contract with the City to provide services should have access to the purchasing discounts that the City enjoys. The increased purchasing volume, may, in fact, allow the City to negotiate deeper discounts with vendors.*
2. *Eliminate the proposed Community Justice Centers (budgeted @ \$1.3 million), and retaining the daytime and drop-in services that HSA has proposed cutting is a wiser use of tax dollars. In many instances, clients of these centers will, ironically enough, be referred to the very programs which the City is proposing to cut.*
3. *Cut or eliminate the Mayor's Office of Neighborhood Services. There are many redundancies now that the 311 system is operational.*
4. *Full enforcement and collection of the Transfer Tax on mergers and acquisitions.*
5. *Full enforcement and collection of Healthy San Francisco fees.*

In 2003, the City and County adopted the precautionary principle, which states "*do the least harm.*" We urge you to reconsider these budget cuts, and do the least harm to the most underserved and vulnerable among us.

Sincerely,
LJ Cirilo
Chairperson
Shelter Monitoring Committee

ATTACHMENT 3

May 27, 2011

Supervisor David Chiu, President
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Dear Supervisor Chiu:

The Shelter Monitoring Committee urges you to reconsider the proposed budget cuts to homeless services in the City & County of San Francisco. These programs have already faced deep cuts, and any further cuts will have far reaching consequences for homeless people as well as those who live in, work in, and visit our City.

The reality is that the non-profit organizations to which the City & County of San Francisco has outsourced much of the care for the homeless can't stand further cuts. There has been no cost of living increase (COLA) given to any agencies contracted by the Human Services Agency since 2007. Many of their front-line staff, a good number of whom are formerly homeless, face the very real possibility of becoming homeless again if they are laid off.

We urge you to think about what our City will look like in six months if these cuts take place. There will be more people out on the streets with nowhere to go during the day. Emergency room visits will markedly increase. Seniors, children, and people with disabilities will be especially impacted since these are the communities who generally have needs for city-funded services disproportionately to the needs of others. In fact, we believe that these cuts will ultimately lead to greater expenses for the City & County of San Francisco in the form of healthcare expenditures that will increase as more and more people who have reduced options for legal and safe rest are driven into health crises. Shelter, daytime drop-in, and other preventative measures are ultimately a cost savings for San Francisco.

For the past seven years, the Committee has been charged with documenting the conditions of the shelter system and the experience of clients utilizing its services. In our quarterly reports to the Mayor's Office and the Board of Supervisors we have documented a continual need for case management and service support for clients as well as on-going training for staff. Any cuts to shelters or resource centers would impact an already stretched staff-to-client ratio; the ability of clients to access services for gaining employment, housing; and ultimately the ability to exit homelessness. The Committee is requesting no cuts to these essential services within the City & County of San Francisco:

Human Service Agency:

- **Supportive Housing Programs**-these programs allow families and single adults to exit the shelter system and move out of homelessness.
- **Single Adult Shelter System and Resource Centers**-the current shelter system and resource centers do not currently meet the need of clients as documented in our 2009 Turn Away Report, 2010 Turn Away Report, and 2008 Shelter Enrichment Report, co-authored with the Local Homeless Coordinating Board. Any additional cuts will see an increase of displaced clients on the streets.

Department of Public Health

- **Residential Substance Abuse and Mental Health Programs**-these programs provide homeless clients with the resources and services needed to work towards employment and housing.
- **Self Help and Drop In Centers:** Tenderloin Self Help Center and the Sixth Street Drop-In-provide services like case management, employment training, and personal budgeting skills to clients who are currently homeless and those who have recently exited homelessness.
- **Case Management**-SF FIRST and SF START are two roving case management teams working with different clients: homeless clients on the streets and those in shelters. The Committee has documented in the past a deficiency of case management in the shelter system.
- **Standards of Care Training:** The Standards of Care mandate training in ten key areas for all staff to ensure compliance to health and safety standards as well as tools in working with clients across a broad spectrum. The Committee is advocating for \$35,000 for maintaining the nutritionist position, which provides training in three key areas, including nutrition, food handling, and hand washing and an additional \$15,000 for training materials, including AV necessities and stipends for trainers. This would ensure the competent training of staff.

In 2003, the City & County of San Francisco adopted the precautionary principle, which states "do the least harm." We urge you to reconsider these budget cuts, and do the least harm to the most underserved and vulnerable among us.

Sincerely,

LJ Cirilo
Chair

cc: Supervisor John Avalos
Supervisor David Campos
Supervisor Carmen Chu
Supervisor Malia Cohen
Supervisor Sean Elsbernd
Supervisor Mike Farrell
Supervisor Jane Kim
Supervisor Eric Mar
Supervisor Ross Mirkarimi
Supervisor Scott Wiener

Attachments

Second Quarter Report, Shelter Monitoring Committee, March 2011
Third Quarter Report, Shelter Monitoring Committee, May 2011

May 27, 2011

Mayor Edwin M. Lee
City Hall, Room 200
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Dear Mayor Lee:

The Shelter Monitoring Committee urges you to reconsider the proposed budget cuts to homeless services in the City & County of San Francisco. These programs have already faced deep cuts, and any further cuts will have far reaching consequences for homeless people as well as those who live in, work in, and visit our City.

The reality is that the non-profit organizations to which the City & County of San Francisco has outsourced much of the care for the homeless can't stand further cuts. There has been no cost of living increase (COLA) given to any agencies contracted by the Human Services Agency since 2007. Many of their front-line staff, a good number of whom are formerly homeless, face the very real possibility of becoming homeless again if they are laid off.

We urge you to think about what our City will look like in six months if these cuts take place. There will be more people out on the streets with nowhere to go during the day. Emergency room visits will markedly increase. Seniors, children, and people with disabilities will be especially impacted since these are the communities who generally have needs for city-funded services disproportionate to the needs of others. In fact, we believe that these cuts will ultimately lead to greater expenses for the City & County of San Francisco in the form of healthcare expenditures that will increase as more and more people who have reduced options for legal and safe rest are driven into health crises. Shelter, daytime drop-in, and other preventative measures are ultimately a cost savings for San Francisco.

For the past seven years, the Committee has been charged with documenting the conditions of the shelter system and the experience of clients utilizing its services. In our quarterly reports to the Mayor's Office and the Board of Supervisors we have documented a continual need for case management and service support for clients as well as on-going training for staff. Any cuts to shelters or resource centers would impact an already stretched staff-to-client ratio; the ability of clients to access services for gaining employment, housing; and ultimately the ability to exit homelessness. The Committee is requesting no cuts to these essential services within the City & County of San Francisco:

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Department of Public Health

- **Residential Substance Abuse and Mental Health Programs**-these programs provide homeless clients with the resources and services needed to work towards employment and housing.
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- **Case Management**-SF FIRST and SF START are two roving case management teams working with different clients: homeless clients on the streets and those in shelters. The Committee has documented in the past a deficiency of case management in the shelter system.
- **Standards of Care Trainings:** The Standards of Care mandate training in ten key areas for all staff to ensure compliance to health and safety standards as well as tools in working with clients across a broad spectrum. The Committee is advocating for \$35,000 for maintaining the nutritionist position, which provides training in three key areas, including nutrition, food handling, and hand washing and an additional \$15,000 for training materials, including AV necessities and stipends for trainers. This would ensure the competent training of staff.

In 2003, the City & County of San Francisco adopted the precautionary principle, which states “do the least harm.” We urge you to reconsider these budget cuts, and do the least harm to the most underserved and vulnerable among us.

Sincerely,

LJ Cirilo
Chair

cc: Trent Rhorer, Executive Director, Human Services Agency
Barbara Garcia, Director, Department of Public Health

Attachments

Second Quarter Report, Shelter Monitoring Committee, March 2011
Third Quarter Report, Shelter Monitoring Committee, May 2011



City and County of San Francisco

Shelter Monitoring Committee

July 25, 2011

Mr. Richard Knee, Chair
Sunshine Ordinance Task Force
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102

Dear Mr. Knee.

This letter addresses the amendment to the alleged Sunshine violation on part of the Committee made by Mr. Charles Pitts.

This morning I received notice from Mr. Chris Rustom alerting me of a change in dates for the Committee to respond to the allegations before the Task Force from tomorrow to August 23, 2011. My reading of Mr. Pitt's amendment is the addition of listing the following names in the complaint: Chair LJ Cirilo and Bernice Casey. Initially, the Committee was told to be present at the July 26, 2011 SOTF meeting and the Committee responded on July 12, 2011 noting that staff would be present. The response provided addressed any alleged violations by Committee Members and staff.

I will not be available on August 23rd and I am currently the only staff person for the Committee. After consulting with Chair Cirilo, we are requesting another date to address these allegations and answer any questions the Task Force may have.

Thank you.

Sincerely,

Bernice Casey
Policy Analyst

Attachments
July 12, 2011 Sunshine response letter

cc: Mr. Charles Pitts
Committee Officers



City and County of San Francisco

Shelter Monitoring Committee

July 12, 2011

Mr. Richard Knee, Chair
Sunshine Ordinance Task Force
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102

Dear Mr. Knee.

This letter addresses the allegations of a Sunshine violation on part of the Committee made by Mr. Charles Pitts. Mr. Pitts alleges that the Committee went into recess to discuss an agenda item during the May 18, 2011 Committee meeting. The Committee did not violate any known rules or regulations under Sunshine or Brown nor did it discuss an agenda item during the recess.

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Staff consulted Deputy City Attorney Jennifer Williams to clarify the *Public Meeting Checklist* of the Good Government Guide which states that "a policy body may continue the hearing of the agenda items and adjourn meetings..." Staff has confirmed with the following individuals that policy bodies are allowed to adjourn and reconvene:

Chris Rustom, Sunshine Ordinance Task Force on July 6, 2011

Jennifer Williams, Deputy City Attorney on July 6, 2011

The Committee welcomes comments for the public and government agencies on how to continue to improve its public meeting process. Committee staff will be available from 4:00 to 5:30 pm on July 26, 2011 to answer any questions the full Task Force may have about this incident or the work of the Committee in general. Please let me know if you have any additional questions.

Sincerely,

Bernice Casey
Policy Analyst

Attachments

cc: Mr. Charles Pitts

1380 Howard Street, First Floor
San Francisco, CA 94103
www.sfgov.org/sheltermonitoring

(415) 255-3642 (phone)
(415) 255-3629 (fax)
shelter.monitoring@sfgov.org

ATTACHMENT 1

DRAFT BUDGET LETTER

Dear Mayor Lee & Members of the Board of Supervisors,

We are writing to urge you to reconsider the proposed budget cuts to homeless services in the City & County. This community has already faced deep cuts, and any further cuts will have far reaching consequences for homeless people as well as those who live in, work in and visit our City.

The reality is that the non-profit organizations to which the City has outsourced much of the care for this population can't stand further cuts. There has been no COLA given to most of these non-profits since 2007. Many of their front-line staff, a good number of whom are formerly homeless, face the very real possibility of becoming homeless again if they are laid off.

We urge you to think about what our city will look like in 6 months if these cuts take place. There will be more people out on the streets with nowhere to go during the day. Emergency room visits will markedly increase. Seniors, children and people with disabilities will be especially impacted. In fact, we believe that these cuts will ultimately lead to greater expenses for the City in the form of the healthcare expenditures that will increase as more and more people who have reduced options for legal and safe rest are driven into health crises. Shelter, daytime drop-in, and other preventative measures are ultimately a cost savings for San Francisco.

While we realize that the City is in precarious fiscal straits, we believe that we have identified some areas of potential cost savings, and we urge you to take a serious look at them.

The non-profit organizations which contract with the City to provide services should have access to the purchasing discounts that the City enjoys. The increased purchasing volume, may, in fact, allow the City to negotiate deeper discounts with vendors.

Eliminate the proposed Community Justice Centers (budgeted @ \$1.3 million), and retaining the daytime and drop-in services that HSA has proposed cutting is a wiser use of tax dollars. In many instances, clients of these centers will, ironically enough, be referred to the very programs which the City is proposing to cut.

Cut or eliminate the Mayor's Office of Neighborhood Services. There are many redundancies now that the 311 system is operational.

Full enforcement and collection of the Transfer Tax on mergers and acquisitions.

Full enforcement and collection of Healthy San Francisco fees.

In 2003, the City and County adopted the precautionary principle, which states "do the least harm." We urge you to reconsider these budget cuts, and do the least harm to the most underserved and vulnerable among us.

Sincerely,

LJ Cirilo

Chairperson

Shelter Monitoring Committee

ATTACHMENT 2

DRAFT BUDGET LETTER -2

Dear Mayor Lee & Members of the Board of Supervisors,

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The reality is that the non-profit organizations to which the City has outsourced much of the care for this population can't stand further cuts. There has been no COLA given to most of these non-profits since 2007. Many of their front-line staff, a good number of whom are formerly homeless, face the very real possibility of becoming homeless again if they are laid off.

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Here are some of the proposed reductions we are particularly concerned about:

From the Human Services Agency

- \$3.1 million in cuts to Supportive Housing
- Cutting people off CAAP if they miss an appointment (30 day sanction – no ability to apply under other programs)
- Taking money out of SSI retro checks for CAAP recipients to cover shelter costs
- Closing Next Door during the day
- 80% cut to resource centers like MNRC and Mother Browns

Any cuts to shelters or resource centers would impact an already stretched staff to client ratio and the ability for clients to learn/access services to gain employment, housing and ultimately be able to exist out of homelessness.

From Health Department

The Health Department has \$27.4 million in cuts. They are proposing 9% cuts across all residential substance abuse and mental health programs and 16.5% from other homeless, community mental health and substance abuse programs that are funded with city dollars. This would lead to the closure of several residential treatment centers, and a severe cut back in drop-in capacity of the two health funded centers including the Tenderloin Self Help Center and 6th Street Drop-In. In addition, a loss of approximately 125 SRO rooms for sick and disabled homeless people. Furthermore, any cuts to SFSTART, the 11 member roving case management team, would impact the ability for clients to access case management services in an environment that is already scarce and severely limited to those considered "most in need" currently. Finally, another vital component worth maintaining is the SOC nutritionist -\$35,000 and training resources as outlined in this quarters SMC report, to ensure that staff are trained and that training is tracked and on-going.

While we realize that the City is in precarious fiscal straits, we believe that we have identified some areas of potential cost savings, and we urge you to take a serious look at them.

1. *The non-profit organizations which contract with the City to provide services should have access to the purchasing discounts that the City enjoys. The increased purchasing volume, may, in fact, allow the City to negotiate deeper discounts with vendors.*
2. *Eliminate the proposed Community Justice Centers (budgeted @ \$1.3 million), and retaining the daytime and drop-in services that HSA has proposed cutting is a wiser use of tax dollars. In many instances, clients of these centers will, ironically enough, be referred to the very programs which the City is proposing to cut.*
3. *Cut or eliminate the Mayor's Office of Neighborhood Services. There are many redundancies now that the 311 system is operational.*
4. *Full enforcement and collection of the Transfer Tax on mergers and acquisitions.*
5. *Full enforcement and collection of Healthy San Francisco fees.*

In 2003, the City and County adopted the precautionary principle, which states “*do the least harm.*” We urge you to reconsider these budget cuts, and do the least harm to the most underserved and vulnerable among us.

Sincerely,
LJ Cirilo
Chairperson
Shelter Monitoring Committee

ATTACHMENT 3

May 27, 2011

Supervisor David Chiu, President
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Dear Supervisor Chiu:

The Shelter Monitoring Committee urges you to reconsider the proposed budget cuts to homeless services in the City & County of San Francisco. These programs have already faced deep cuts, and any further cuts will have far reaching consequences for homeless people as well as those who live in, work in, and visit our City.

The reality is that the non-profit organizations to which the City & County of San Francisco has outsourced much of the care for the homeless can't stand further cuts. There has been no cost of living increase (COLA) given to any agencies contracted by the Human Services Agency since 2007. Many of their front-line staff, a good number of whom are formerly homeless, face the very real possibility of becoming homeless again if they are laid off.

We urge you to think about what our City will look like in six months if these cuts take place. There will be more people out on the streets with nowhere to go during the day. Emergency room visits will markedly increase. Seniors, children, and people with disabilities will be especially impacted since these are the communities who generally have needs for city-funded services disproportionately to the needs of others. In fact, we believe that these cuts will ultimately lead to greater expenses for the City & County of San Francisco in the form of healthcare expenditures that will increase as more and more people who have reduced options for legal and safe rest are driven into health crises. Shelter, daytime drop-in, and other preventative measures are ultimately a cost savings for San Francisco.

For the past seven years, the Committee has been charged with documenting the conditions of the shelter system and the experience of clients utilizing its services. In our quarterly reports to the Mayor's Office and the Board of Supervisors we have documented a continual need for case management and service support for clients as well as on-going training for staff. Any cuts to shelters or resource centers would impact an already stretched staff-to-client ratio; the ability of clients to access services for gaining employment, housing; and ultimately the ability to exit homelessness. The Committee is requesting no cuts to these essential services within the City & County of San Francisco:

Human Service Agency:

- **Supportive Housing Programs**-these programs allow families and single adults to exit the shelter system and move out of homelessness.
- **Single Adult Shelter System and Resource Centers**-the current shelter system and resource centers do not currently meet the need of clients as documented in our 2009 Turn Away Report, 2010 Turn Away Report, and 2008 Shelter Enrichment Report, co-authored with the Local Homeless Coordinating Board. Any additional cuts will see an increase of displaced clients on the streets.

Department of Public Health

- **Residential Substance Abuse and Mental Health Programs**-these programs provide homeless clients with the resources and services needed to work towards employment and housing.
- **Self Help and Drop In Centers:** Tenderloin Self Help Center and the Sixth Street Drop-In provide services like case management, employment training, and personal budgeting skills to clients who are currently homeless and those who have recently exited homelessness.
- **Case Management**-SF FIRST and SF START are two roving case management teams working with different clients: homeless clients on the streets and those in shelters. The Committee has documented in the past a deficiency of case management in the shelter system.
- **Standards of Care Training:** The Standards of Care mandate training in ten key areas for all staff to ensure compliance to health and safety standards as well as tools in working with clients across a broad spectrum. The Committee is advocating for \$35,000 for maintaining the nutritionist position, which provides training in three key areas, including nutrition, food handling, and hand washing and an additional \$15,000 for training materials, including AV necessities and stipends for trainers. This would ensure the competent training of staff.

In 2003, the City & County of San Francisco adopted the precautionary principle, which states "do the least harm." We urge you to reconsider these budget cuts, and do the least harm to the most underserved and vulnerable among us.

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LJ Cirilo
Chair

cc: Supervisor John Avalos
Supervisor David Campos
Supervisor Carmen Chu
Supervisor Malia Cohen
Supervisor Sean Elsbernd
Supervisor Mike Farrell
Supervisor Jane Kim
Supervisor Eric Mar
Supervisor Ross Mirkarimi
Supervisor Scott Wiener

Attachments

Second Quarter Report, Shelter Monitoring Committee, March 2011
Third Quarter Report, Shelter Monitoring Committee, May 2011

May 27, 2011

Mayor Edwin M. Lee
City Hall, Room 200
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Dear Mayor Lee:

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Sincerely,

LJ Cirilo
Chair

cc: Trent Rhorer, Executive Director, Human Services Agency
Barbara Garcia, Director, Department of Public Health

Attachments

Second Quarter Report, Shelter Monitoring Committee, March 2011

Third Quarter Report, Shelter Monitoring Committee, May 2011